

Consolidated Comments from Indigenous Nations and Communities and the Public on the NexGen Rook 1 Project Draft EIS

For *NexGen Response

*Note: Text in **Blue highlight** will also be responded to by CNSC in the CNSC Response Table

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
1.	Clearwater River Dene Nation (CRDN) (November 11, 2022)	General	<p>Being a subjective mix of both social and psychological factors, risk perception influences how harmful and chemical or exposure is perceived. Levels of stress and perception of stress affect health independently and are shown to increase the likelihood of worse health and mental health outcomes.</p> <p>Without clear federal or provincial guidelines on the acceptable level of risk during project development, it raises the question, what is an acceptable level of risk, or perception of risk, that is acceptable for the CRDN to tolerate for what seems an interminable future during the largest development-stage uranium project in Canada?</p> <p>NexGen should work with CRDN to develop it’s own standards/thresholds in order to understand the risks they are bearing.</p> <p>How will this project support perceived risks amongst the community members in order to increase the trust of the community members and therefore increase the reliance of their traditional lands, including harvesting traditional foods?</p>	
2.	CRDN (November 11, 2022)	Sections 5.2, 5.2.2, 5.2.3, 5.3.2, 5.3.3, 5.3.4, 5.4, 5.4.3	Under Environmental Assessment, section 5.2 Atmosphere key findings, use language “remain low”, 5.2.2 Noise key findings, “low magnitude”, 5.2.3 Climate Change key findings, “no meaningful affect”, and “low GHG emissions”, 5.3.2 Hydrology key findings, “changes would likely be undetectable”, 5.3.3 Surface Water Quality and Sediment Quality key findings, “not result in any threshold exceedances”, “result in minor”, 5.3.4 Fish and Fish Habitat key findings, “unlikely to be measurable”, “not significant”, 5.4 Land-5.4.3 Wildlife and Wildlife Habitat key findings, “restored to the extent possible”, and “not significant”. The key findings for incremental lifetime cancer risk are “negligible to very low”, and the incremental and cumulative effects on human health are predicted to be “not	

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			<p>significant” (pages 161-162).</p> <ul style="list-style-type: none"> • What are the definitions of this language, more specifically, how exactly are the potential risks calculated? At what concentration levels? What are the measurements being used to indicate and determine the “remain low”, “no meaningful affect”, etc. conclusions? 	
3.	CRDN (November 11, 2022)	Section 5.2, p. 155	<p>On page 155, in Section 5.2 there is mention of disturbance from lights and noise due to construction and operation of the project but no mention and focus to light pollution, which can affect bird migration routes and other wildlife, including the quality of the night sky which affects navigation by wildlife and humans/people.</p> <ul style="list-style-type: none"> • How will light pollution be measured over the duration of project and what is the design to “minimize sensory disturbances”? • How will the work and the buildings affect acoustical performance in the ecosystem? (i.e., mating calls, other communications - i.e., loons calling each other to prepare for migration, winds, and other ethological indicators)? <p>More Information regarding sampling frequency to indicate the time of year all samples were collected for all studies.</p> <ul style="list-style-type: none"> • No mention in this study of any specific lake stressors, such as cyanotoxins. Why no mention? • What types of predictive models were applied to all environmental studies that have been conducted to date, to determine their potential direct and indirect environmental human-social-economic impacts? What were these models based on? 	
4.	CRDN (November 11, 2022)	Section 2.3.2 Project Components and Activities, Monitoring ponds	<ul style="list-style-type: none"> • What will be monitored here? • How is waste rock different from tailings? • If tailings are stored underground, what is waste rock and why is it stored at surface? • West bermed runoff collection area – where does runoff come from and what are the potential hazards of this runoff? How are these hazards assessed? 	
5.	CRDN (November 11, 2022)	Section 1.2.6 General Schematic	<ul style="list-style-type: none"> • Are COPCs in groundwater and interstitial air tracked? Is this in permafrost and has projected permafrost thaw been accounted for? This was an issue at Giant Mine – they stored arsenic trioxide dust in underground stopes and now the permafrost is thawing, resulting in increased hydraulic conductivity in the ground, increased mobility of groundwaters, etc. 	

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6.	CRDN (November 11, 2022)	Section 1.2.7 Decommissioning and Reclamation	<ul style="list-style-type: none"> • Are there financial guarantees or reclamation bonds being required to ensure NexGen is responsible for all costs to restore the site to its original state? • Please share the invasive species management plan. • Will the future of buildings and landscapes be co-designed with the aesthetics of the community and landscape in mind? Recommend hiring community members as Indigenous architects, engineers, and community members to co-design plans. • Draft and share a socioeconomic report and socioeconomic management plan. • How will the site contribute to neighbourhood quality improvement? Will the land owned, managed, and stewarded by CRDN maintain or increase in value? • Is there consideration of thermal comfort? How much heat will be released over time? • What current studies show the effects of increased heat on local biomes and human settlements? 	
7.	CRDN (November 11, 2022)	Section 5 Infrastructure and Design	<ul style="list-style-type: none"> • Are infrastructure and material conservation in place? • Will the camp, maintenance shop, warehouse building, airstrip and associated facilities, power supply and distribution facilities, fuel storage facilities, information technology and communications facilities, site roads and access facilities, etc. going to be recyclable and reclaimable or will those supporting infrastructures end up in the dump or buried somewhere? If so, are the locations to recycle, reclaim, dump, or bury determined? 	
8.	CRDN (November 11, 2022)	Section 19 Community well-being	<ul style="list-style-type: none"> • What community protections for the site and for the local communities be put in place? • What trauma-informed and restorative justice-based policing or protective services will be implemented? • Need clear guidelines on what services are provided • Recommend community members being hired for these positions for emotional support? • What are the timelines for “periodic” surveys and criteria for determining an increased need for support. The 'indicators' used for social and cultural impacts and wellbeing are limited. • The Canadian Index of Wellbeing covers 8 domains and at least half a dozen indicators for each (University of Waterloo). Some key missing indicators are 	

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			<p>life expectancy, mental health, functional health, public health (i.e., workers bringing in viruses or transmissible diseases, especially worrisome in the case of women in the proximity of work camps and sexually transmitted diseases), income and wealth volatility and distribution, time use, social relationships, community safety, diversity of leadership, quality of community politics (democratic or familial/tribal governance mechanisms).</p> <ul style="list-style-type: none"> • Recommend reviewing all indicators of the social-cultural impacts and wellbeing to be included and analyzed 	
9.	CRDN (November 11, 2022)		<p>When considering that mental health risks are ‘new’ to the assessment process during project development:</p> <ul style="list-style-type: none"> • CRDN needs new and continued assessments completed to ensure thorough consideration of the mental well-being of their community members, especially regarding mental stress. 	
10.	CRDN (November 11, 2022)		<p>Actual or perceived contamination – discouraging traditional land use. Previous Uranium projects have resulted in increased negative opinions regarding the perceived risks to their traditional land, resulting in notable decreases in land-use amongst community members</p> <ul style="list-style-type: none"> • How will this Project support perceived risks amongst the community members in order to increase the trust of the community members and therefore increase the reliance of their traditional lands, including harvesting traditional foods? 	
11.	CRDN (November 11, 2022)	Section 5.5.3 Figure 5-6, Summary – page 166	<p>Does not account for the impact of stress on the indigenous community</p> <p>Comment:</p> <ul style="list-style-type: none"> • Perceived risks need to be assessed and the impacts of long-term stress on the mental and emotional well-being of the community members 	
12.	CRDN (November 11, 2022)	Section 2.2.2, Summary Document p. 21 and p. 5-6	<p>Draft a Site Employment Management Plan</p> <ul style="list-style-type: none"> • Clear guidelines on how the site will be accessible for all workers. For which equity deserving group categories (for example: sex, age, ethnicity, disability, economic status, gender, gender expression, pregnancy status, family status, neurodiversity, caste, nationality, race, sexual orientation, religion, language group, and creed)? • Understanding the demographic of the CRDN and the commitment of the Project to hire community members– Recommend hosting Employment Workshops – hosting hiring fairs within the community makes employment opportunities accessible, achievable and supports trust the Project builds with 	

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			community members. Commit to more than only funding to support indigenous monitors throughout the project; historically the community has already voiced they want to encourage training opportunities for higher ranges of employment opportunities.	
13.	CRDN (November 11, 2022)		CRDN recommends that NexGen works with CRDN to develop community-specific monitoring program that involves: (i) design of monitoring and (ii) conduct of monitoring – with the goal to produce a long-term data set and track record of monitoring to restore community trust in area (or, to identify issues that are undermining community trust in terms of monitoring results).	
14.	CRDN (November 11, 2022)		CRDN requests that NexGen co- develop programs with CRDN to facilitate CRDN confidence in industry and land use safety.	
15.	CRDN (November 11, 2022)		CRDN requires all collected data from NexGen within a reasonable and mutually agreeable timeframe.	
16.	CRDN (November 11, 2022)		CRDN recommends that a Health Impact Assessment (HIA) be completed, that includes a perceived stress assessment and determine the level of acceptable stress the community can manage.	
17.	CRDN (November 11, 2022)		CRDN recommends that notification and communication protocols be developed between NexGen and CRDN so that CRDN to be notified and included in any investigations into causes of any discrepancy in environmental sampling.	
18.	CRDN (November 11, 2022)		CRDN recommends that NexGen engages with CRDN prior to any changes to sampling frequency during adaptive management.	
19.	CRDN (November 11, 2022)		CRDN recommends that CRDN community members to be present during each site visit.	
20.	CRDN (November 11, 2022)		CRDN requires funding support for environmental monitor training, survey and collection techniques, data management, etc. CRDN to develop and manage all aspects of training.	
21.	CRDN (November 11, 2022)		CRDN recommends that NexGen work with CRDN to expand monitoring program to align with all phases of the project: development, operations, and reclamation. CRDN will monitor environmental, geotechnical, perception of risk, land use, etc.	

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22.	CRDN (November 11, 2022)		CRDN recommends that NexGen develop broader regional Land Use Plan to manage new phase of uranium development and ensure CRDN lands remain healthy and viable for generations to come.	
23.	Birch Narrows Dene Nation (BNDN) (October 12, 2022)		<p>The Project will cause permanent irreparable loss of access and use of the land for BNDN. This includes impacts to cultural identity and Aboriginal and Treaty rights-protected activities and sites.</p> <p>NexGen must negotiate mitigation and accommodation measures with BNDN that are commensurate with the impacts to land use and cultural sites.</p>	
24.	BNDN (October 12, 2022)		<p>BNDN members utilize the Study Area for traditional land use activities.</p> <p>BNDN members mapped and described using the local study area for hunting and trapping, fishing, cultural continuity purposes, access trails, ceremonial/cultural/spiritual activities, gathering, water usage, and other activities. Participants also described concerns related to impacts to hunting and trapping, fishing, and cultural continuity. Once the Project commences this area will no longer be accessible to members who rely on this area for harvesting wild foods, proper nutrition and food cost savings.</p> <p>Members will be forced to travel further to carry out the same activities, spend more on food and lose the nutrition provided by wild foods. NexGen must provide details on how local harvesters who rely on the Project Study Area for traditional land and resource use, food cost savings and nutrition will be compensated. Programs to offset this loss must be developed so that BNDN members can continue to exercise the rights and have access to wild foods.</p>	
25.	BNDN (October 12, 2022)		<p>BNDN members described how the Project will disrupt a sense of cultural continuity, including loss of access to cabins/campsites/travel routes, disruption of a sense of place, disruption to BNDN beliefs and disruption to the transmission of culture to future generations.</p> <ul style="list-style-type: none"> a) NexGen must develop specific accommodation measures to compensate BNDN for the loss of cultural continuity. b) NexGen must consider providing funding to support traditional educational activities for youth. 	

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26.	BNDN (October 12, 2022)	EIS Master Executive Summary, section 5.5	<p>It is unclear whether the study areas communities used for the IKTLU Studies matched that of NexGen’s LSA and RSA, or whether NexGen imposed its study area on the results of the IKTLU Studies. Defining a study area is at times political; it is important that the potentially unique study areas defined by Indigenous communities in their respective IKTLU Studies be considered in the Project’s assessment.</p> <p>BNDN requests that NexGen clarify how they considered the study areas defined by the communities in their IKTLU studies, if they differed from those proposed by NexGen.</p>	
27.	BNDN (October 12, 2022)		<p>It is unclear whether Indigenous communities were given the opportunity to participate in the incorporation of IKTLU results into the EA, including in the development of management and mitigation measures for potentially impacted sites identified in the IKTLU Studies. The co-development of mitigation and management measures was a direct request from BNDN’s IKTLU study.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen specify the process used to incorporate the IKTLU study results into the EA. b) BNDN requests that NexGen indicate the opportunities Indigenous communities were given to incorporate and review how IKTLU results informed the Project. c) BNDN requests that NexGen work with BNDN to incorporate BNDN IKTLU into the final EIS. This method to incorporate BNDN input is to be determined but could be in the form of a community meeting or workshop with BNDN members or a meeting with BNDN staff and must include a round of revisions by BNDN to the final EIS prior to submission to the CNSC. d) BNDN requests that NexGen describe the process used to determine appropriate management and mitigation measures for potentially impacted sites identified in the IKTLU Studies. 	
28.	BNDN (October 12, 2022)		The chance find procedure for unanticipated heritage resources is not present or easily found in the material to review.	

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			<ul style="list-style-type: none"> a) BNDN requests that NexGen provide the chance find procedure for review. b) BNDN requests that the chance find procedure includes the required and timely notification of BNDN upon the discovery of any unanticipated heritage resources 	
29.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter	<p>It is unclear how Indigenous Knowledge was considered in the assessment of heritage resources. Indeed, the HRIA indicates that in addition to fieldwork undertaken for the study, only the HCB's archaeological site database and prior assessments were consulted as part of the background research for the assessment.</p> <p>BNDN requests that NexGen provide a description how Indigenous Knowledge informed the assessment of heritage resources, including:</p> <ul style="list-style-type: none"> I. the location of areas assessed; II. whether members of the communities participated in fieldwork; and III. how community mapped values were considered. <p>Should BNDN be aware of any additional heritage resources in the study area or locations that may contain them, these areas must be further assessed archaeologically.</p>	
30.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter	Should any additional archaeological fieldwork be required for this Project, monitors from BNDN must be invited to participate. NexGen must commit to providing capacity funding to facilitate BNDN monitor participation.	
31.	BNDN (October 12, 2022)	EIS Master Executive Summary, section 5.5.2	<p>There is no recommendation that a training course be required for workers to:</p> <ul style="list-style-type: none"> a) Identify unanticipated heritage resources, including common artifacts, ecofacts and features of the region; and b) understand cultural sensitivity around such resources while 	

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			<p>conducting work NexGen must implement a training course for workers regarding possible heritage resources in the area to be aware of. The training course must also contain a cultural sensitivity component. BNDN monitors must be invited to attend this course and capacity funding must be provided.</p>	
32.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter: 1.1	<p>Although presence of historic strandlines is an indicator for archaeological potential in northern Saskatchewan, it is unclear whether strandlines exist in the Project area and whether these were assessed effectively.</p> <p>NexGen must provide a description of the presence of strandlines in the Project area and a description of how they were assessed.</p>	
33.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter: 4.1	<p>As per the description of bias in archaeological investigation based on accessibility, were some areas in the Project area deemed to retain high potential not assessed because they were inaccessible? Please describe. Should BNDN regard these unassessed areas as retaining potential based off of knowledge of the area, these areas must be further assessed.</p>	
34.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter: 3.2	<p>In general, post-impact assessments are not considered an appropriate form of archaeological assessment by BNDN –archaeological assessments should always occur <i>prior</i> to any ground-disturbing activities. While it is understood that the requirement of archaeological assessments is relatively new within legislation, the post assessment of work completed at the Project area in the 2010s should have been assessed prior to being disturbed.</p>	
35.	BNDN (October 12, 2022)	Section 18.3 Existing Conditions Section 18.4 Project Interactions, Mitigations and Benefit Enhancements	<p>Despite acknowledging in Section 18.3.6 and in the Socio-Economic Baseline Report that income within the LSA and RSA come from both the wage or market economy and the traditional economy, and that the traditional economy forms an important part of the LSA and RSA economies that isn't captured in Statistics Canada labour force and income statistics, NexGen's pathways analysis and subsequent effects assessment in Section 18.4 does not include the impacts of the Project to BNDN's participation in the traditional economy as a primary or secondary pathway. What is lacking is an analysis and assessment of how impacts to income and participation in the traditional</p>	

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		Socio-Economic Baseline Report	<p>economy will be experienced by BNDN as a result of effects of the Project on BNDN’s exercise of rights and pursuit of traditional land and resource use activities. This is significant issue to BNDN given estimates, cited in the Socio-Economic Baseline Report, that “80% or more of the people in the community participate in some form of traditional economic activity” (6.5.2.3).</p> <p>BNDN does not agree with NexGen’s assessment in Table 18.4-1 that a general commitment to “support and promote Indigenous community participation and employment in the traditional economy” warrants only considering the beneficial impacts of the Project on BNDN’s articipation and employment in the traditional economy. Further, while NexGen acknowledges that “participation in the traditional economy often occurs sequentially and simultaneously with activities related to Other Land and Resource Use (Section 17) and Cultural and Heritage Resources and Indigenous Land and Resource Use (Section 16)” and that the effects related to those components are addressed in those sections of the EIS (p. 18-85), it is BNDN’s position that the implications of the impacts of the Project to those components must be assessed as they relate to income and BNDN’s participation in the traditional economy in order for this section of the EIS to be considered complete.</p> <p>Section 18.4 and Section 19.4 must include an assessment of the impacts of the Project on BNDN’s income as it relates to participation in the traditional economy as a primary pathway, resulting from the adverse impacts of the Project on BNDN’s traditional land and resource use. This assessment must include consideration of the cumulative effects of industrial development on participation in the traditional economy.</p>	
36.	BNDN (October 12, 2022)	Section 18.4 Project Interactions, Mitigations and Benefit Enhancements	In the EIS’s characterization of the Project's interactions with Indigenous group’s participation in the traditional economy, NexGen states that “while wage employment may reduce activity in the traditional economy for some participants, the effects of increased wage income on the ability to purchase equipment and supplies, combined with employment policies that facilitate participation in the traditional economy is expected to result in a positive	

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			<p>benefit to the ability to participate in the traditional economy” (p. 18-85). However, BNDN notes that while this considers those who may be employed by the mine and experience increased wage income, this does not account for impacts to participation in the traditional economy by those not employed by the mine whose experience of the impacts of the Project are not offset by an increase to wage income. In addition, as the “employment policies” cited by NexGen have not been developed or included in the EIS documentation, there is no way to verify that these policies will fulfill this stated purpose. Further, no contextualized evidence or verification of Indigenous groups in the LSA is provided to support that the 2005 study cited to support the sentiment that participation in a fly in/fly-out commuter rotation system would enhance the ability of Indigenous people in the LSA to spend more time on the land, or that this applies to all Indigenous groups in the LSA.</p> <p>a) Section 18.4 must consider the impacts of the Project to participation in the traditional economy by members of Indigenous groups not employed by the Project, in addition to those employed by the Project</p> <p>b) Further, to support the conclusions of Section 18.4 of the EIS that being employed by the Project will not adversely impact participation in the traditional economy:</p> <ul style="list-style-type: none"> ● <i>Further commitments and clarity to the process for the development of employment policies and their contents must be included in the EIS</i> <p>The Proponent must provide more contextualized research and/or the verification of Indigenous groups in the LSA must be provided to support NexGen’s assessment of the negligible effects of participating in a fly-in/fly-out commuter system</p>	
37.	BNDN (October 12, 2022)	Section 18.4 Project Interactions, Mitigations and	Throughout Section 18.4 and in Section 19.4, NexGen identifies that a key project characteristic that will contribute to potential effects on the economy includes an aspirational long-term target of 75% of the Project’s workforce being composed of LSA residents. However, as the section goes on, the EIS makes the following statements that call into question if this “aspirational”	

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		<p>Benefit Enhancements</p> <p>Section 19.4 Project Interactions and Mitigation</p>	<p>target is in fact realistic:</p> <ul style="list-style-type: none"> • “NextGen would make best efforts to recruit LSA residents, however, due to the specialized nature of some of the construction work and the associated technical employment qualification requirements, <i>a substantial portion of the Construction workforce is anticipated to be sourced from outside the LSA</i>” (18-73) • “It is likely that the long-term target of 75% of the workforce being residents of the LSA <i>would not be achieved in the early stages of Project Operations</i>” (18-76) • “The opportunity to employ residents of the LSA on the Project <i>may be reduced in the event the Fission Patterson Lake South Property proceeded</i> due to competition for workers and the limited number of qualified personnel from which to draw on” (18-30) <p>Additionally, NexGen concludes, based on Figure 18.4-3 which provides an illustration of the potential typical operations year labour requirements, that filling 75% of the illustrative leverage peak operating jobs in each education category “may require hiring 38% of the 2016 LSA population over the age of 15 with a high school, college, or university certificate who were unemployed or not in the labor force in 2016 and 45% of the LSA population over the age of 15 with an apprenticeship or trades certificate or diploma who were unemployed or not in the labor force in 2016” (18-76).</p> <p>However, BNDN notes that no research or engagement has been completed to date to verify if hiring this proportion of the population for jobs in the mining sector is possible or desirable to members of the LSA’s workforce</p> <ol style="list-style-type: none"> a) To justify these targets being cited in Section 18.4 and used to characterize the potential benefits of the Project in the EIS’s analysis of the effects of the Project on the Economy in Section 18.8, much more substantiated evidence is required in the EIS to support the feasibility of these targets and much more specific commitments are required than the generalized measures currently set out on p. 18-81. b) It must also be a condition of the EIS’s approval that the mutually agreed upon terms of an LSA workforce recruitment and retention 	

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			<p>strategy are established prior to EA approval, and Indigenous groups in the LSA provide confirmation that appropriate features of Benefit Agreements have been established to meet these targets prior to final EA approval or the commencement of construction.</p> <p>c) If substantial evidence cannot be provided to meet this “aspirational” target, NexGen must also provide a more realistic and concrete target based on the evidence that is available so that the effects of the Project on the Economy and Community Well-Being can be accurately assessed and understood by regulators and Indigenous groups. Commitments must also be set out in the EIS for measures that will be taken if NexGen’s targets for employment are not met.</p>	
38.	BNDN (October 12, 2022)	Section 18.4 Project Interactions, Mitigations and Benefit Enhancements Section 19.4 Project Interactions and Mitigations	<p>Throughout Section 18.4 and in Section 19.4, NexGen identifies that a key project characteristic that will contribute to potential effects on the economy and community well-being includes an aspirational long-term target of 30% of the Project’s external spend being awarded to LSA and RSA businesses. However, given that “local study area residents have noted that there are a limited number of locally owned businesses” (p. 18-84) it is not clear that the measures NexGen proposes in this section of the EIS (e.g. maintaining a local business registry, providing advance notice of business opportunities, pre-qualifying Indigenous businesses, etc.) will be sufficient to meet this aspirational target.</p> <p>a) To justify these targets being cited in Section 18.4 and 19.4 and used to characterize the potential benefits of the Project in the EIS’s analysis of the effects of the Project on the Economy and Community Well-Being, much more substantiated evidence is required to confirm how these aspirational targets will be met, including:</p> <ul style="list-style-type: none"> • Commitments to funding and supporting the establishment of Indigenous businesses, Limited Partnerships and Development Corporations to facilitate access to procurement opportunities • Clear and specific commitments to criteria and processes for RFP tendering that will give preference to Indigenous businesses 	

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			<ul style="list-style-type: none"> • Offsetting benefits that will be provided if targets of 30% are not met b) It must be a condition of the EIS’s approval that Indigenous groups in the LSA provide confirmation that commitments in the EIS and measures established in Benefit Agreements are appropriate to meet procurement targets cited in the EIS. Commitments must also be set out in the EIS for measures that will be taken if NexGen’s targets for procurement are not met. c) If substantial evidence cannot be provided to meet this “aspirational” target, NexGen must also provide a more realistic and concrete target based on the evidence that is available so that the effects of the Project on the Economy and Community Well-Being can be accurately assessed and understood by regulators and Indigenous groups 	
39.	BNDN (October 12, 2022)	Section 18.7 Monitoring, Follow-Up and Adaptive Management	<p>BNDN notes that no specific management or monitoring plan has been included in the EIS documentation related to the verification of residual socio-economic impacts, both positive and negative, for the local economy.</p> <ul style="list-style-type: none"> a) NexGen must develop a Socio-Economic Monitoring Plan for the life of the Project to verify the effects assessment included in the EIS and to be included in the Project’s approach to adaptive management. This Plan would include an approach, co-developed with Indigenous groups in the LSA, to monitoring the realization of the benefits and impacts of the Project (e.g., employment and procurement targets, training and capacity building, community investments, etc.) as mitigation and enhancement measures are implemented. Monitoring and subsequent regular evaluation would allow for the real-time adjustment of targets and/or an approach to adjusting enhancement measures or identifying offsetting benefits where targets are not met. b) The Crown must include the development of a Socio-Economic Monitoring Plan as a condition of approval for the Project 	

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40.	BNDN (October 12, 2022)	Section 19.2.2 Valued Components, Measurement Indicators, and Assessment Endpoints Socio-Economic Baseline Report	<p>Section 19.2.2.2 sets out the measurement indicators used by NexGen in the assessment of effects on Community Well-Being, including:</p> <ul style="list-style-type: none"> • Societal and Cultural Well Being • Economic Well-Being • Educational Well-Being • Neighborhood and Physical Environment Well-Being • Health Well-Being <p>However, BNDN notes that these measurement indicators and the subsequent supporting indicators and factors considered set out in Table 19.2-1 do not adequately consider Indigenous indicators of well-being, such as spiritual well-being, connection to the land, intergenerational connectedness, well-being of future generations, etc. This is significant given that the Socio Economic Baseline Report acknowledges that “the RSA is predominantly Indigenous, with 87.4% identifying as such” and “within the LSA 95.2% are Indigenous” (Executive Summary, iii) NexGen must co-develop the measurement indicators and supporting indicators must be co-developed with Indigenous communities in the LSA including BNDN to include a greater focus on Indigenous indicators of well-being. BNDN expects that this will result in corresponding changes to Section 19.4 in the final EIS.</p>	
41.	BNDN (October 12, 2022)	Section 19.4 Project Interactions and Mitigations	<p>In Section 19.4.3, a secondary pathway considered by NexGen is how involvement in Project-related employment may reduce opportunities for resource harvesting. However, BNDN notes that the impacts of the Project on traditional land use and resource harvesting and subsequent effects on community well-being have not otherwise been considered as a primary pathway. Section 19.4 must include an assessment of the impacts of the Project on BNDN’s community well-being as it relates to traditional land use and resource harvesting as a primary pathway, resulting from the adverse impacts of the Project on BNDN’s traditional land and resource use. This assessment must include a consideration of the cumulative effects of industrial development.</p>	

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42.	BNDN (October 12, 2022)	Section 19.4 Project Interactions and Mitigations	<p>While Section 19.4 of the EIS does consider the effects of increased income on existing community issues such as substance abuse, domestic violence, as a corresponding mitigation measure, NexGen has only committed to establishing on site health and wellness programming on site as a proposed mitigation measure which is not sufficient to address this potential impact and should not be considered sufficient to prevent residual impacts. Section 19.4 must also set out NexGen’s commitments to support the establishment and improvement of social services and wellness programs located in, led and implemented by each of the Indigenous communities in the LSA through the provision of funding and other resources.</p> <p>NexGen must make formal commitments to supporting such investments for the benefit of the Project and the benefit of Indigenous communities in the LSA .</p>	
43.	BNDN (October 12, 2022)	General Comment	<p>General Comment. In our review of the surface water and groundwater components of the EIS we found many of the assumptions, interpretations and conclusions to be inadequate. Amongst other concerns, we found that:</p> <ul style="list-style-type: none"> i. Waste rock permanently stored on surface is far more likely to be acid generating than NexGen previously indicated to BNDN ii. Patterson Lake itself has limited buffering capacity and is very sensitive to acid rock drainage from the project iii. Sulphur dioxide emissions from the Alberta oil sands will continue to cause acidic precipitation at the Rook 1 project site. This is a cumulative effect that has not been considered in the EIS iv. NexGen water quality modelling assumptions overlook a number of important considerations that result in an overly optimistic assessment of Project impacts to surface water quality Despite these inadequacies in the current assessment, NexGen still expects water quality to be permanently and irreversibly impaired in Patterson Lake. <p>In light of these factors, we believe that NexGen has significantly understated the potential impacts of the Project on the environment and on BNDN Treaty and Aboriginal rights and interests. If the Crown intends to approve this</p>	

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			<p>Project, the Crown must work with BNDN to ensure that the identified potential impacts are avoided, mitigated and/or accommodated.</p> <ul style="list-style-type: none"> a) BNDN requests that CNSC and SOME establish regular meetings with our Nation to discuss these concerns and the findings of regulators and other Indigenous groups in detail. These meetings will be used to identify meaningful measures that the Crown can take to avoid, mitigate, accommodate or compensate for the significant adverse impacts to our constitutionally protected Treaty and Aboriginal rights and interests. b) BNDN requests that NexGen work collaboratively with our Nation to resolve the concerns raised prior to submission of the Final EIS. 	
44.	BNDN (October 12, 2022)	EIS Table 10.5-8 and EIS Table 8.5-3	<p>In Table 10.5-8 (Classification of Residual Effects on Surface Water Quality Indicators for the Application Case and Reasonably Foreseeable Development Case in the Far Future; p. 10-119), NexGen provides their assessment that water quality in Patterson Lake will be negatively impacted by the project for hundreds of years from waste rock seepage and for thousands of years from groundwater (effectively permanently) through the continued loading of elevated concentrations of copper and cobalt to Patterson Lake.</p> <p>BNDN is very concerned with this impact of the Project, which will result in permanent, continuous adverse impacts to our ability to exercise our Treaty and Aboriginal rights. As documented in our IKTLU study, our members frequently fish in Patterson Lake, Forrest Lake and in the Clearwater River system. The Clearwater River system is an extremely important waterway to BNDN that our members have traveled since time immemorial. The fact that Patterson Lake will be permanently impaired is a serious impact on our members who may never be able to trust the water quality and fish health in Patterson Lake for many generations into the future (long after NexGen has left our Territory). The fact that our members will need to rely on fish and water testing and analyses in perpetuity to have confidence (from a western science perspective) that we can consume fish from Patterson Lake is a</p>	

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			<p>significant adverse impact to our Treaty and Aboriginal rights.</p> <p>In the EIS, the Proponent has provided very vague and general measures to monitor these serious permanent impacts to Patterson Lake and the downstream environment which are wholly inadequate to address the magnitude of impact on BNDN. If the Crown intends to approve of the project as described, the Crown and NexGen must avoid, mitigate and/or accommodate this impact to BNDN Treaty and Aboriginal rights.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen undertake an assessment of alternatives to address the long-term loading of cobalt and copper into Patterson Lake from the Project. This assessment must be done collaboratively with BNDN, or preferably led by BNDN with capacity support provided by NexGen. b) BNDN requests that NexGen and the Crown work with BNDN to develop a mitigation or accommodation measure that effectively addresses this impact to BNDN Aboriginal and Treaty rights. c) BNDN requests that NexGen commit to developing a trust fund with the purpose of covering the costs of ongoing monitoring of water and fish quality in Patterson Lake in perpetuity. d) BNDN requests that the Proponent obtain consent from BNDN for the surface water quality monitoring programs at the Project for all phases of the Project, including post closure. e) BNDN requests that the Crown require NexGen to obtain BNDN approval and written consent for the surface water and groundwater quality monitoring plans as a condition of approval for the Project. 	
45.	BNDN (October 12, 2022)	TSD XVII: Waste Rock and Underground Wall Rock Source Term Predictions Figures 3-1 and 3-2	In the Waste Rock subsection of EIS Section 5.3.3.5 (Geochemical Conditions), the Proponent notes that mine waste rock that will be stored on the surface of the mine site will have both non-acid generating (NAG) and potentially acid generating (PAG) rock. The Proponent has provided limited information on the expected relative proportions of NAG to PAG, the magnitude of acid generation potential from the PAG rock and the buffering capacity of the NAG rock. Figures 3-1 and 3-2 of TSD XVII display analytical results of the acid generation potential of waste rock from the underground tailings management facility (UGTMF) and mine workings.	

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			<p>Both Figure 3-1 and 3-2 indicate that that a relatively high proportion of mine workings and UGTMF samples analyzed are PAG rock, a significant proportion of which has a very low neutralization potential ratio indicating a very high potential for acid generation.</p> <p>While very limited baseline information is provided in the EIS and in the supporting documents, Table 3-3 of TSD XVII shows that approximately 40% of waste rock expected to be permanently stored on surface is expected to be PAG. This is quite a high proportion and indicates a very significant risk of acid generation from the waste rock, especially considering that the NAG waste rock generally has low buffering capacity to neutralize acid rock drainage from the PAG waste rock. Considering the obvious potential for acid generation from the limited information provided by NexGen upon which their assumptions and interpretations are based, BNDN is very concerned that NexGen is significantly underestimating the risk of acid rock drainage from the waste rock. BNDN notes that the available information indicates that the waste rock at Rook 1 has a relatively high likelihood of generating acid rock drainage. It is not acceptable for BNDN to have to take NexGen's modelled interpretations of their data on faith. By constructing the Project, NexGen is permanently altering BNDN's Traditional Territory and is asking BNDN to assume the risks to our Treaty and Aboriginal rights associated with this permanent change. The generation of acid in the waste rock would dramatically increase the loading of metals to Patterson Lake and the Clearwater River system and would be a truly disastrous outcome. BNDN must have an exceptional level of confidence that the waste rock will not generate acid rock drainage in the short term or in the far future, and both the Proponent and the Crown must develop conditions and commitments during the EA phase of the Project to give BNDN certainty that this outcome will be avoided.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen make all of their baseline geochemical data publicly available to facilitate BNDN review. b) The Crown must not make a decision on the Project prior to a thorough and rigorous review and analysis of the geochemical 	

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			<p>baseline data and the modeling results developed from the geochemical baseline data</p> <ul style="list-style-type: none"> c) Given the high and permanent risk to the environment, the Crown must work with BNDN to develop conditions of approval for the Project that give BNDN confidence that NexGen will be held to stringent environmental protection measures. This must at a minimum include a requirement for NexGen to obtain explicit consent from BNDN for their relevant management and monitoring plans. d) The Crown must work with BNDN to develop measures to mitigate and accommodate impacts to BNDN Treaty and Aboriginal rights from the permanent, irreversible risk that our Nation is assuming by the waste rock stockpile being built. e) NexGen must commit to developing and funding an independent third-party waste rock management review board (similar in format and conception to an independent tailings review board) for the life of mine. BNDN recommends that this independent third-party waste rock management review board be a Crown condition of approval for the Project. 	
46.	BNDN (October 12, 2022)	EIS Section 10 Appendix 10A Table 6 (Summary Parameters for Sampled Lakes)	In EIS Section 10 Appendix 10A Table 6 (Summary Parameters for Sampled Lakes), NexGen reports the pH range of many of the lakes within the Project LSA and RSA, including Patterson Lake. While the lakes are generally circumneutral, NexGen has occasionally measured pH values as low as 5.8, including in Patterson Lake. These relatively low pH measurements are often gathered at the same sampling events where elevated metal concentrations (such as arsenic and nickel) have been observed. These occasional low pH measurements and coincident elevated metals concentrations reflect the fact that Lakes in and around the Project area have a low buffering capacity against acid generation (Cathcart, Aherne, Jefferies, & Scott, December 2016). In fact, according to modelling by Cathcart et al (2016), the Project is within an area of Saskatchewan where lakes are particularly sensitive to acidity and Patterson Lake may already be above its critical load of acidity. The Cathcart study was written in the context of the potential for emissions from the oil sands operations in Alberta causing acidic deposition from	

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			<p>sulphur dioxide deposition through rainfall and snowfall. Impacts of the estimated 116,000 kT annual sulphur dioxide emissions from the oil sands are expected to most acutely impact lakes within 100 km east and north of the oil sands operations. The Rook 1 Project is less than 110 km as the crow flies east-northeast of the Kearns oil sands operations. The ongoing emissions from the oil sands operations are likely already contributing acidity to the Rook 1 Project area. This, coupled with the very limited natural buffering capacity of Patterson Lake, must be considered cumulatively along with the potential contribution of acidity to Patterson Lake from the Rook 1 Project.</p> <p>NexGen and the Crown have not considered the potential cumulative impacts from sulphur dioxide emissions in the oil sands region on Patterson Lake and on the Rook 1 Project in general. Considering the proposed expansions to existing oil sands operations, it is conceivable that this further negatively impacts the already limited buffering capacity of the waste rock in the Rook 1 Project area and accelerates the onset of acid generation from the waste rock stockpiles.</p> <ul style="list-style-type: none"> a) NexGen must include the impacts of sulphur dioxide emissions from the Alberta oil sands operations in their cumulative effects assessment for the project. b) NexGen must revise their waste rock seepage and overall water quality model to consider the potential contribution of acidity from rainfall and snowfall in the region. c) NexGen must undertake an assessment of the buffering capacity of lakes and rivers impacted by the Project. The study design must be approved by BNDN and must be completed in collaboration with BNDN. d) Based on the findings of the assessment of buffering capacity in lakes and rivers impacted by the Project and the impacts of acidic precipitation, NexGen must revise their surface water assessments of impacts of the project. e) NexGen must develop mitigation and monitoring measures to prevent acidification of Patterson Lake, and the Crown must add a condition of approval to the project that includes protecting lakes 	

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			<p align="center">impacted by the Project from acidification by the project</p>	
47.	BNDN (October 12, 2022)	EIS TSD XVII Waste Rock and Underground Wall Rock Source Term Predictions Section 3.2.1 (Method Overview)	<p>In the equilibration modelling subsection of EIS TSD XVII Waste Rock and Underground Wall Rock Source Term Predictions Section 3.2.1, NexGen reports that geochemical speciation and mass transfer was modelled using PHREEQC, and that water quality was equilibrated using the MinteqV4 thermodynamic database file (TDF). Lu et al (2022) reported that the TDF that is selected for equilibration modelling can have very significant effects on the outcomes of the model (Lu, Zhang, Apps, & Zhu, February 2022). While MinteqV4 is a frequently used TDF for modelling in the mining industry, the Proponent has provided no rationale for why this database was selected, and what results would be obtained by substituting different TDF files.</p> <p>While the selection of TDF is an important primary consideration of the water quality modeling, other assumptions in the equilibration modelling can also have a dramatic effect on the modelled outcomes, such as oxidation reduction potential (ORP) and pH. NexGen has interpreted their water quality model results with static pH and ORP values that they have somewhat arbitrarily selected and have not modeled their results in a way in which the pH and ORP evolve with the seepage chemistry over time.</p> <p>The Proponent also has provided limited information on the types of calculations that they utilized to calculate their modeled results. Highly differing outcomes can be reasonably expected depending on whether NexGen utilized an initial speciation calculation or one of the more complex batch-reaction calculations. Considering the limited buffering capacity available in the waste rock, opting for pH to remain fixed for the modelling is a questionable assumption that may have very serious implications in that they dramatically underestimate the potential for acid rock generation from the waste rock stockpiles.</p> <p>As previously mentioned, NexGen has not provided their baseline geochemical data upon which their modelling assumptions were based. BNDN is being asked to take many modeled assumptions for granted without</p>	

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			<p>any rationale to justify the assumptions. NexGen has also not provided any alternative reasonably conceivable modelled results based on different real-world assumptions (pH or ORP) or different modelling input variables (TDF or modelling calculations). It is entirely conceivable that NexGen is dramatically understating the potential for acid rock generation and metal leaching from the project, and thus understating the potential impacts from the Project in general.</p> <p>This has major implications for the potential impacts to BNDN Treaty and Aboriginal rights and interests which will already be adversely impacted within NexGen's assumptions. Acid rock drainage is widely understood to be self-perpetuating once initiated, and it is very difficult and costly to remediate. BNDN expects that both the Proponent and the Crown will take appropriate risk management and avoidance measures to prevent acid rock drainage. BNDN also expects that the CNSC will require the project closure bonding to include the costs associated with potential acid rock drainage and the consequent downstream consequences to the already very sensitive receiving environment.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen provide a rationale for their chosen TDF and re-run their modelling results with at least 3 other TDFs. The Proponent must provide the modeled results from all 4 TDFs and provide a rationale for the TDF upon which their surface water quality impact assessment for the project is based upon. b) BNDN requests that NexGen clarify the types and sequences of calculations used in PHREEQC to simulate modeled outcomes c) BNDN requests that NexGen re-run their 4 TDF modelled results through at least 3 different types and sequences of calculations. NexGen must provide a rationale and assumptions within the selected sequences. Note that these assumptions must consider the possibilities discussed in previous comments that precipitation at the project site often has elevated acidity due to sulphur dioxide emissions from oil sands operations in Alberta. d) The Crown must require the closure bonding for the project to include the costs to remediate acid rock drainage from the project. 	

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			<p align="center">BNDN must be collaboratively involved in determining the assumptions used to inform the closure bonding estimates</p>	
48.	BNDN (October 12, 2022)	EIS Table 10.5-7	<p>BNDN members have noted an increased frequency of algae blooms and diseased fish in lakes in BNDN Traditional Territory. At this time the reason for the increased frequency of algae blooms is poorly understood. Increased phosphorous and nutrient loading to Patterson Lake from Project effluent discharge has the potential to exacerbate the existing increased frequency of algae blooms in the region.</p> <p>NexGen has selected effluent discharge criteria for phosphorous and other nutrients that are in line with standards in other jurisdictions in Canada. In Table 10.5-7 NexGen has suggested that the discharge of effluent with elevated phosphorous to Patterson will result in no change to Patterson Lake. Given the fact that changes to lakes in the region have occurred with no anthropogenic inputs of nutrients and the lakes in the region are understood to already be sensitive ecological environments, the continual addition of nutrients over a number of decades may increase the likelihood of toxic algae blooms to a greater extent than assumed using National standards. The degree to which effluent discharge into Patterson Lake may increase that likelihood is not adequately assessed in the EIS and would benefit from meaningful incorporation of BNDN IKTLU to inform a more comprehensive assessment.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen undertake a literature review on algae blooms, diseased fish and eutrophication in and around the Project area to inform their assessment of potential impacts on productivity status from the Project b) NexGen must work with BNDN to more fully understand the reasons for increased algae blooms in and around the Project area. This could be best discussed at the BNDN – NexGen environmental monitoring committee (EMC). BNDN requests that NexGen discuss providing capacity to BNDN for pursuing a study which is scoped at the EMC to better understand eutrophication in the region. c) BNDN requests that during future community consultation with BNDN, NexGen discusses algae blooms in the region with membership to better understand from BNDN members where they 	

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			<p>are occurring, and to better inform NexGen’s assessment of potential impacts in the final EIS.</p> <p>d) BNDN requests that NexGen commits to revising the assessment of potential impacts of the Project on productivity status in Patterson Lake depending on the findings from meetings with community members and any studies undertaken to understand algae blooms and eutrophication in the region.</p>	
49.	BNDN (October 12, 2022)	IS Section 5.4.3.3 (Underground Tailings Storage)	<p>In Section 5.4.3.3 of the EIS (Underground Tailings Storage), NexGen describes the storage of tailings underground at the Rook 1 Project. While BNDN generally prefers this method of tailings disposal to the alternatives, there are some questions related to project sequencing and temporary tailings storage that raise the risks and potential environmental liabilities from the Project. Specifically, BNDN is unclear on the maximum volume of tailings that will be stored on surface on an interim basis at any given time, and how it will be stored. The sequencing of the project may have significant implications on the volume of tailings stored on surface at any given time, which may vary widely throughout the life of mine. BNDN requires a detailed understanding of how tailings will be managed on surface to minimize risk to the environment.</p> <p>BNDN also recognizes the possibility that the Project could temporarily cease operations throughout the life of mine, and that this could potentially leave some tailings materials on surface with inadequate storage capacity underground and no appropriate facility for storage on the surface. If project sequencing resulted in excess tailings on surface requiring disposal when the mine owner declares bankruptcy, it is possible that it could be prohibitively expensive to dispose of tailings on site within the funds available in the closure bonding for the Project.</p> <p>a) The CNSC must require NexGen to provide sufficient closure bonding to properly dispose of tailings stored on surface with inadequate storage. The calculation must be based on the moment of the mine life when there is expected to be the most unfavourable ratio of tailings disposed of on the surface and storage capacity for tailings underground.</p> <p>b) BNDN requests that NexGen clarify the maximum volume of tailings that could be stored on surface on an interim basis, and how</p>	

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			<p>it will be handled and stored to ensure that it does not negatively impact the environment, including during a temporary shutdown of the mine</p>	
50.	BNDN (October 12, 2022)	EIS Section 5.4.3 (Tailings Management)	<p>BNDN members have expressed concern with the suitability of utilizing cemented paste backfill and cemented paste tailings in the underground operations. In particular, members have expressed concerns about the safety and structural stability of the backfill for miners working underground, and the potential long term implications for surface water and groundwater quality. BNDN expects that some of our members will be working underground at the mine. The safety of our members in the underground will be essential for our members maintaining support and positive engagement in the Project long-term.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen provide further information on the structural stability of utilizing cemented paste backfill during operations, and the potential safety implications for our members working underground. While we request that NexGen provide a written response, this concern is best suited to be addressed at a future community meeting with our members. b) BNDN requests that NexGen provide a written and in person community presentation on the risks to groundwater and surface water quality from the proposed cemented paste backfill and cemented paste tailings. A presentation to BNDN members on recommendations a and b must include examples from other operations that have used the same mining and backfill methods. The examples from other projects must describe what has worked well about the proposed methods and any potential risks from NexGen’s mining and backfill plans. 	
51.	BNDN (October 12, 2022)	EIS Section 8.2.1	<p>In Section 8.2.1 of the EIS (Incorporation of Indigenous and Local Knowledge - Hydrogeology) the Proponent discusses the importance of groundwater to Indigenous Nations and references the importance of groundwater to BNDN in particular. BNDN wishes to note that the Project will change groundwater quality and surface water quality permanently. While some of these changes may not be considered harmful from a western</p>	

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			<p>science perspective, the permanent changes to the environment (especially the water) affects our Nation’s relationship to the land. Considering the significant permanent change to the earth where the mine workings will be and the consequent permanent changes to groundwater, our relationship with the land will forever be altered.</p> <p>BNDN wishes to remind NexGen and the Crown that our Aboriginal rights are defined by BNDN alone. These changes, regardless of the extent to which they are assessed in the EIS as adverse from an environmental perspective, will have adverse impacts on our rights and interests that must be accommodated by the Crown and avoided and mitigated by the Proponent to the maximum extent possible.</p> <ul style="list-style-type: none"> a) BNDN requests that the Proponent provide a presentation to the community on how groundwater will change from baseline conditions from a western science perspective. At the meeting, the Proponent must work with the community to better understand BNDN’s experience of the impacts of the Project on our Nation, especially as it pertains to groundwater and surface water. b) BNDN requests that the Crown work with BNDN to accommodate the impacts on our rights imposed by the permanent changes to surface water and groundwater induced by the mine. 	
52.	BNDN (October 12, 2022)	EIS Section 10.2.8.3.1	<p>In Section 10.2.8.3.1 of the EIS (Water Quality Thresholds), NexGen discusses their Project-specific thresholds for contaminants of potential concern for water quality. In most cases, NexGen selected the most conservative available water quality guideline available with the exception of molybdenum. The Canadian Council for Ministers of the Environment (CCME) chronic guideline for molybdenum is 0.073 mg/L, but NexGen has opted to use the Saskatchewan Water Security Agency (WSA) guideline of 31 mg/L. BNDN notes that the WSA guideline is 424 times greater than the CCME guideline. The selection of a guideline that is so much less stringent concerns BNDN, given the very limited rationale for the determination that NexGen has provided. The selection of the less stringent requirement implies that NexGen assumes that they cannot achieve the more stringent guideline and thus are avoiding assessing the impacts of increased molybdenum</p>	

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			<p>concentrations in Patterson Lake. Academic literature indicates that some animals are very sensitive to molybdenum toxicity, notably cattle and sheep (Novotny & Peterson, May 2018). While limited research has been conducted on caribou to assess their sensitivity to molybdenum toxicity, BNDN expects the Proponent to exercise reasonable caution to protect highly sensitive and culturally important species to BNDN.</p> <p>BNDN is very concerned with the fact that NexGen has opted for a more relaxed molybdenum water quality objective. BNDN notes that Table 8 in TSD XIX indicates that NexGen expects to achieve the CCME guideline within the regulated effluent mixing zone, so the reason for selecting the less stringent requirement is unclear.</p> <ul style="list-style-type: none"> a) BNDN notes that our Nation strongly prefers that NexGen utilize the more stringent CCME guideline for all parameters, including molybdenum. b) BNDN requests that the Proponent provides a detailed rationale for their choice of the WSA guideline for molybdenum as opposed to the CCME guideline. c) BNDN requests that the Proponent revise their assessment of impacts based on the revised water quality objective for molybdenum to provide context to our Nation on the degree to which the selected guideline changes the assessment of impacts. d) BNDN requests that the reassessment of molybdenum loading to the environment from the Project considers the proposed revisions to water quality modelling from the Project proposed in comments above 	
53.	BNDN (October 12, 2022)	TSD XIX Table 7 and TSD XVIII Appendix H Table 7	Table 7 of EIS TSD XIX (Treated Effluent Source Term Data of Rook 1) and Appendix H Table 7 of EIS TSD XVIII (preliminary Effluent Discharge Concentration Limits Calculation Results) shows NexGen’s anticipated effluent quality to be discharged to Patterson Lake. While the numbers differ somewhat between the two tables, both tables show that NexGen expects the final effluent to exceed water quality objectives for a number of parameters and thus will require a mixing zone to achieve water quality objectives.	

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			<p>BNDN notes that a number of metals expected to be elevated in the final effluent may be discharged at the threshold for acute toxicity, including uranium and zinc. Furthermore, many of the final effluent objectives that NexGen has proposed are lower than what has been found to be achievable and cost effective elsewhere in Canada.</p> <p>BNDN has a number of concerns with NexGen’s proposed effluent treatment objectives, including:</p> <ul style="list-style-type: none"> • Acute toxicity of some elements presenting a risk to fish and aquatic life in the immediate presence of the effluent discharge point • The potentially synergistic effects between the numerous metals elevated in final effluent • The fact that the proposed effluent guidelines are not as stringent as found to be achievable elsewhere in Canada <p>Given that BNDN members frequently harvest fish in Patterson Lake, the relatively relaxed standards and unnecessary risks created through the proposed effluent quality objectives is a serious impact to the exercise of our Treaty and Aboriginal rights. The proposed water quality objectives fall short of what is reasonably achievable and would constitute minimizing adverse impacts to BNDN Treaty and Aboriginal rights.</p> <p>To minimize risk to the receiving environment, BNDN would strongly prefer that all contaminants achieve water quality objectives at the point of discharge with no mixing zone required, especially for mercury, cadmium, cobalt, uranium selenium, copper and arsenic. Note that achieving water quality objectives at the point of discharge is much less stringent than achieving background conditions at the point of discharge, which would be BNDN’s preference.</p> <p>a) BNDN requests that the Crown impose a condition of approval on the Project that NexGen must obtain explicit written consent from BNDN for the final permitted effluent quality objectives for the Project</p>	

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			<ul style="list-style-type: none"> b) BNDN requests that the Proponent undertake a study of water quality objectives at other mining operations in Canada to assess what is both economically and technically achievable at this time c) BNDN requests that NexGen commit to revising their effluent quality objectives on a regular basis (for example every 5 years) to assess any improvements in water treatment technology that could improve effluent quality at the project. d) BNDN requests that effluent discharge permits issued for the Project by the Federal Government and Saskatchewan expire in 5 years to require NexGen to reassess their effluent quality objectives 	
54.	BNDN (October 12, 2022)	EIS Figure 10.5-18 and 10.5-19	<p>As BNDN has previously noted, NexGen expects water quality in Patterson Lake to be adversely impacted by the Project irreversibly and in perpetuity. While BNDN has raised a number of concerns in our review that indicate that many more elements are likely to be a concern and to a much greater extent than modeled by NexGen, NexGen has acknowledged that copper and cobalt will be elevated in Patterson Lake in perpetuity and likely will exceed CCME water quality objectives.</p> <p>BNDN notes that the Project will have adverse impacts to Patterson Lake and that the EIS is inadequate in addressing how water quality in Patterson Lake will be protected during the operations, closure and post closure phases of the mine. BNDN wishes to remind NexGen that our land users will be permanently impacted by this Project, long after NexGen has closed the mine and left our Territory. Our Nation needs confidence that both the Proponent and regulatory agencies will take the long-term impacts to Patterson Lake and the Clearwater Lake seriously by committing to stringent but appropriate avoidance, mitigation and accommodation measures to protect Patterson Lake, especially into the far future.</p> <ul style="list-style-type: none"> a) BNDN requests that NexGen develop a trust fund that will fund the treatment of contaminated seepage from the project in perpetuity. b) BNDN requests that the Crown include a condition of approval for the Project that NexGen's will not be released from their license to operate the Project without explicit written consent from BNDN 	

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			<p>c) BNDN requests that NexGen, the Crown and BNDN work together to develop a condition of approval for the Project that will ensure that effluent and seepage from the Project will minimize long-term adverse effects to Patterson Lake from the Project.</p>	
55.	BNDN (October 12, 2022)	EIS TSD XVIII Section 5.1.1	<p>In Section 5.1.1 of EIS TSD XVII Application Case for Effects Assessment), NexGen has noted that they will withdraw 4,300,000 L/day from Patterson Lake on average during the operations phase of the mine. While NexGen does not anticipate that the water level in Patterson Lake will change significantly, any substantial project induced increases or decreases to water levels in Patterson Lake are likely to have significant impacts to aquatic life in the downstream environment and consequently to BNDN Aboriginal and Treaty rights, which must be avoided.</p> <p>BNDN requests that the Crown include a condition of approval for the project that NexGen does not significantly change water levels in Patterson Lake or in the Clearwater River system. The Crown must develop the details of the condition in collaboration with BNDN.</p>	
56.	BNDN (October 12, 2022)	EIS, Section 11.2.2.1 Valued Components	<p>The use of the four fish species as VCs (walleye, pike, lake whitefish, and lake trout) was done because they are important culturally, they occur throughout the study area in relative abundance, and they represent different ecological roles for large bodied species. Unfortunately, limiting the assessment to large-bodied species may result in an oversight with regards to potential effects. Based on table 11.2-1 it appears that no small bodied fishes were even considered for selection as VCs. Small-bodied fish are often more susceptible to the effects of mining projects due to their feeding and movement behaviours. Because they inhabit smaller home ranges and often spend more time in association with the benthic environment, they are more likely to be negatively affected by discrete areas with elevated contamination (such as would occur in Patterson Lake North Arm – West Basin). To account for the different behaviours and exposures of small bodied fishes, the Proponent must include a small-bodied fish species as one of the VCs</p>	

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			<p>assessed for Fish and Fish Habitat. Troutperch or spot tail shiner would both be good candidates for this assessment.</p> <p>BNDN recommends that the assessment of Fish and Fish Habitat be updated with an additional VC of a small-bodied fish to account for their unique ecological niche and role in supporting energy transfer through the ecosystem.</p> <p>Table 11.2-1 must also be updated with the inclusion of small-bodied fish species and the rationale for their exclusion for use as VCs.</p>	
57.	BNDN (October 12, 2022)	Fish and Fish Habitat: Figure 11.2-3	<p>The section of Clearwater River between Broach Lake and Patterson Lake (including Jed Lake) was not sampled during baseline studies (Figure 11.2-3). This area is important as it provides a connection between Patterson Lake and upstream areas and is likely used for spawning runs for species including walleye and northern pike. Moreover, it is expected that this stretch of river may be quite productive, similar to the section of Clearwater River above Patterson Lake where the electrofishing CPUE of 22.11 fish/minute was recorded (Section 11.3.4.2). It is not clear why the Proponent chose not to include this area in baseline surveys.</p> <p>BNDN requests that baseline surveys be completed on the section of Clearwater River between Broach Lake and Forest Lake to evaluate</p> <ul style="list-style-type: none"> • Benthic invertebrates • Sediment quality and characteristics • Water quality • Hydrological characteristics • Fish habitat • Fish community • River morphology • Barriers to fish passage 	
58.	BNDN (October 12, 2022)	EIS, Section 11 Fish and Fish Habitat: Table 11.2-4	Water quality was not collected in Patterson Lake adjacent to Project or in Patterson Creek during baseline studies (Table 11.2-4). These are important areas that may be impacted by effluent discharge and must have adequate baseline information. It is BNDN's perspective that these locations are the	

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			<p>most important areas for this type of sampling because these are the areas where effluent discharge is proposed.</p> <p>BNDN requests that multi-season and multi year water quality sampling be conducted in Patterson Lake North Arm – West Basin, adjacent to the Project area so that baseline conditions can be better understood.</p>	
59.	BNDN (October 12, 2022)	EIS, Section 11.4 Project Interactions and Mitigations	<p>Patterson Lake North Arm – West Basin is the deepest part of the lake with high oxygen levels throughout the year. This represents important habitat, including a large volume of overwintering habitat, which is likely limiting for many species in the region. This is also the area where effluent discharge and wastewater discharge are planned. The nutrients from these discharges may contribute to algal growth and subsequent bacterial decay that may deplete oxygen and/or reduce the available overwintering habitat in this area. This is particularly concerning for lake trout which have a relatively narrow range of suitable thermal and oxygen conditions (Blanchfield et al., 2009; Guzzo and Blanchfield, 2017).</p> <p>The Proponent has not adequately described how effluent discharge of treated mine water from the ETP or treated sewage from the STP may alter or diminish the availability of well-oxygenated water in overwintering habitat (i.e., above 9.5 mg/L of DO)</p> <p>BNDN requests information on how the Proponent has assessed changes in dissolved oxygen may affect overwintering populations of fish. This must include quantitative information on the overall volume of overwintering habitat available in Patterson Lake North Arm – West Basin and an assessment of whether the proposed discharge may shrink this habitat, by reducing the area of water that is sufficiently oxygenated. Furthermore, BNDN requests information on whether/how changes of DO were modelled spatially and temporally in Patterson Lake North Arm – West Basin as a result of effluent discharge from the ETP and STP</p>	
60.	BNDN (October 12, 2022)	EIS Section 11, F-08 Loss or alteration of fish habitat	The Proponent undertook water quality testing to assess the DO profiles of lakes within the study area. However, no attempt was undertaken to quantify the volume of overwintering habitat available and the potential change of overwintering habitat caused by the Project. Given the importance of	

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			<p>overwintering habitat as a limiting factor for species within this area, this is an important analysis that should be included in the assessment.</p> <p>BNDN requests that the Proponent make an analysis to quantify the volume of overwintering habitat available in Patterson Lake and assess the potential changes in total habitat caused by the Project throughout the life of the mine. This can be done for each of the fish species selected as VCs.</p>	
61.	BNDN (October 12, 2022)	EIS Section 11.5.3.1 Summary of Predicted Changes to Surface Water Quality	<p>Predictive modelling of water quality indicates that the Project is expected to result in elevated levels of copper and cobalt in the downstream environment. Copper is anticipated to exceed water quality thresholds (0.0020 mg/L) in the North Arm – West Basin of Patterson Lake, while cobalt is anticipated to exceed guidelines (hardness dependent but typical 0.0006) as far downstream as Beet Lake. In both cases, these exceedances are expected to persist long into the future, such that they are functionally permanent (Figure 11.5-4). These exceedances will be a result of runoff from WRSA and groundwater migration from the UGTMF during post-closure. NexGen has concluded that due to the low level of these concentrations and the local scale at which they occur, there will not be any significant effect on fish populations or biodiversity, and therefore no long-term mitigation or treatment is planned by NexGen. Water quality within Patterson Lake is a major concern of BNDN regarding the Project. It is BNDN’s perspective that the Project should not result in any long-term impacts on the environment. Furthermore, as a food source for BNDN, it is imperative that concentrations of copper and cobalt in fish tissue be kept as low as possible.</p> <p>a) Given the timeframe during which the impacts of elevated concentrations of copper and cobalt are expected to occur, it is very difficult to ensure adequate planning, monitoring and mitigation occurs. However, the permanent increases in concentrations of these contaminants are unacceptable and treatment or other mitigation measures must occur. For this reason, BNDN requests that NexGen include funding for the permanent monitoring (i.e., into the far-future) of water quality within Patterson Lake. If at any point in the future, water quality exceedances of any kind occur, there must be</p>	

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			<p>sufficient funding in place to allow collection and treatment of water or other alternative mitigation measures.</p> <p>b) Fish tissue monitoring as part of follow-up and compliance monitoring (e.g., MDMER Environmental Effects Monitoring) is expected to occur during operations of the Project but will not continue into closure, post-closure, or the far future. BNDN request information on how the Proponent plans to monitor and mitigate contamination of fish tissues in the far future.</p>	
62.	BNDN (October 12, 2022)	EIS Section 11.5.2.2 Summary of Ecological Risk Assessment Results	<p>Cobalt was not included in the Aquatic Health Assessment because the Ecological Risk Assessment showed the Project Hazard Quotient (HQ) was below the threshold of 1. This is despite the large geographic area over which the cobalt threshold exceedance occurs (from Patterson Lake, Forrest Lake, to Beet Lake). Cobalt is a known toxin that can negatively affect fish health at long levels and accumulate in fish tissues (Stubblefield et al., 2020). For this reason, it must be included as part of the Aquatic Health Assessment conducted for this Project.</p> <p>Due to the importance of fish as a food source for BNDN community members and the use of the lakes in this area for fishing, BNDN requests that the Aquatic Health Assessment include cobalt. This information must be included in an updated version of the EIS.</p>	
63.	BNDN (October 12, 2022)	EIS, Table 10.2-5	<p>NexGen has developed Project Specific Water Quality thresholds based on CCME, Saskatchewan provincial standards, and other publicly available guidelines (Table 10.2-5). However, there is no commitment to meet these standards as part of mitigation measures. Instead, the Proponent has indicated that they will develop a site-specific ETP to treat contaminants of concern to “<i>appropriate release limits in accordance with provincial standards and license/permit conditions</i>” (EIS, table 10.4-1). Given the importance of maintaining a healthy aquatic ecosystem and reducing contamination in effluent, it is necessary at this stage of planning for the Proponent to commit to meeting maximum concentrations of contaminants in effluent.</p> <p>BNDN requests that the Proponent commit to meeting the proposed water quality thresholds throughout all phases of the Project. Furthermore, BNDN</p>	

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			<p>requests greater clarity around the expected concentrations of contaminants at the point of discharge for both the ETP and the STP (i.e., end-of-pipe).</p>	
64.	BNDN (October 12, 2022)	EIS, Section 11.4.2 Secondary Pathways: F-14 Nutrient changes from Project activities	<p>The Proponent expects an increase of approximately 0.005 mg/L of Total Phosphorous (TP) concentration in downstream water bodies due to discharge of nutrients from the STP and ETP. The peak concentrations in Patterson Lake North Arm – West Basin are predicted to be 0.009 mg/L. These calculations show that the trophic status of Patterson Lake will remain unchanged. However, this change in nutrients would be very near to the 0.01 mg/L TP threshold between oligotrophic and mesotrophic that is commonly applied under the Canadian Environmental Quality Guidelines (CCME, 2004).</p> <p>However, even though the official nutrient classification has not changed, it does not preclude any ecological changes occurring within the lake. Furthermore, should there be any errors in the calculation, unforeseen inputs of phosphorus, or other ecological/chemical processes that contribute to increased phosphorus, it is possible that a shift in the trophic structure of the lake may be observed.</p> <p>BNDN requests that nutrient monitoring and assessment of lake trophic status be included as part of the Environmental Monitoring Plan. BNDN requests that NexGen provide regular opportunities to review this plan and ensure adaptive management is in place, in the event that changes to nutrient status and/or trophic structure are observed in Patterson Lake.</p>	
65.	BNDN (October 12, 2022)	EIS, Section 11.4	<p>The Proponent plans to cross the Clearwater River using the existing bridge on the access road off Highway 955 (the Clearwater River bridge). This bridge is rated for “light duty” and will be sufficient for most currently planned activities. However, for some heavy equipment and large loads, it is anticipated that a crane will be required. At this time, information on the expected design specifications and operation schedule of the crane is not provided.</p> <p>The partial reliance of the Project on construction and operation of a crane for crossing the Clearwater River is of questionable merit. It adds a layer of complexity and risk to operations. This will require active coordination to</p>	

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			<p>ensure that the crane is readily available for all large loads to prevent delays/disruptions. Furthermore, it may incentivize inappropriate use of the bridge by employees and contractors who are motivated to deliver large loads during periods when the crane is not available. There are many scenarios during which this may occur, such as if the crane is damaged, an operator is not available, or if weather conditions prevent its use (e.g., high winds). The end result is that the bridge may be compromised, potentially resulting in damage to the fish habitat, spills, or other problems. It is also possible that through the course of operations, the Proponent may change their plans or expand operations, such that a bridge becomes necessary. For these reasons, it seems that the most practical and protective course of action is to construct an adequately sized bridge during the construction phase of the Project.</p> <p>BNDN recommends that an upgraded clear span bridge be constructed to cross the Clearwater River. This would simplify the logistics of construction, operation, and closure. Furthermore, it would remove the risks associated with inappropriate crossings on the existing undersized bridge. Plans and mitigation measures for construction of the bridge must be shared with BNDN for review and comment.</p>	
66.	BNDN (October 12, 2022)	EIS, Section 11.4.2, Figure 11.4-1	<p>NexGen has indicated that installation of effluent discharge pipes from the STP and ETP will occur above ground which may result in minor and localized sediment release. To reduce the area of effect, it may be preferable to construct both pipelines so that they have an overlapping footprint onshore, at the lake edge, and in the nearshore, then diverging to their separate discharge locations.</p> <p>Secondly, there does not appear to be any discussion of how pipes will be protected from freezing and shifting ice (i.e., ice shove) which may cause damage or impairment to the operation of these pipelines</p> <p>a) BNDN suggests that the Proponent consider burying the pipelines prior to reaching the lake. The pipelines could emerge directly from the lake bottom below the maximum ice depth. This may result in increased impacts from sedimentation but would reduce the risk of pipeline damage and/or failure. To be clear, BNDN isn't advocating</p>	

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			<p>that this approach is preferred but rather that it must be considered as an alternative.</p> <p>b) To minimize disturbed areas on-shore and within Patterson Lake, it is recommended that the pipelines for treated effluent and treated sewage be constructed along the same route for the sections on-shore, lake-edge, and near shore. The route could then diverge in the lake and the proposed in-lake discharge locations can be maintained.</p>	
67.	BNDN (October 12, 2022)	EIS Section 14 Pg 14-53 to 55	<p>The EIS uses a 500 m buffer around existing and proposed anthropogenic disturbances to define effective habitat loss from sensory disturbance. However, the EIS acknowledges that BNDN knowledge and scientific research expects up to 5 km (or greater) of caribou avoidance around mining projects, and that related semi-permeable barriers, such as roads, likely exacerbate this effective habitat loss.</p> <p>Furthermore, the EIS acknowledges uncertainty concerning local woodland caribou response to the proposed project. Without considering a larger avoidance buffer (as demonstrated in various research) around proposed anthropogenic disturbances, we believe that the EIS underestimates the potential extent of caribou habitat loss.</p> <p>BNDN requests that NexGen present the extent of caribou habitat loss from the proposed project (including effective and indirect) within a range of uncertainty using the BNDN knowledge and research presented in the EIS. Specifically, the percent loss of high, medium, and low suitability habitats, for the LSA, RSA and Caribou SA must be presented using a 500 m (low end) up to a 5,000 m (high end) buffer. We believe this analysis will provide a more accurate range of outcomes with respect to potential project impacts to caribou. This analysis must be considered in the context of each of the SK2 and SK1 ecozones, and in the context of the RFD case.</p>	
68.	BNDN (October 12, 2022)	EIS Figure 14.2-4 Section 14.5	<p>The Project EIS acknowledges that for SK2, Base Case conditions create disturbance levels that result in “not likely to be self-sustaining” woodland caribou populations.</p> <p>The EIS also states that a loss of “less than 1%” habitat within SK2 is expected for woodland caribou under the RFD case (i.e., when Fission</p>	

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			<p>Uranium Corp’s Patterson Lake project is considered). ~1% represents a significant loss of habitat (~1/35 of available disturbance within SK2). The positioning of these two projects, combined with extensive – and potentially overlapping, effective habitat loss (from sensory disturbances), may remove woodland caribou from the entire southern and western sections of Patterson Lake.</p> <p>BNDN requests that NexGen more clearly acknowledges the proposed project’s specific percent of direct and effective caribou habitat removal within SK2 (i.e., clarifies the statement: “less than 1%”). One percent of SK2 constitutes a very significant loss of available habitat.</p>	
69.	BNDN (October 12, 2022)	Wildlife Baseline 1 Section 13.3	<p>We disagree with the Wildlife Baseline 1 statement (section 13.3) that the Boreal Plain (SK2) areas of the Caribou SA and RSA could be treated as Boreal Shield (SK1). These Study Areas overlap two distinct, albeit adjacent, Ecozones. All official description of these Ecozones (as well as all figures in the EIS) define the border between Plain and Shield to the east of the Project and Patterson Lake.</p> <p>BNDN requests that NexGen remove all descriptions and references to redesignation of Ecozones, or the lumping of associated policy requirements from all EIS, Baseline and all other reports.</p>	
70.	BNDN (October 12, 2022)	EIS Section 14.5	<p>The EIS states that there are currently relatively low densities of white-tailed deer, moose and wolves in the RSA and SK1 Ecozone. With the habitat losses and alterations expected from the proposed project, relative ungulate and predator densities may be affected (through alterations to vegetation communities, and increased access along improved linear corridors). These shifts in ungulate and predator densities may exacerbate disturbance mediated apparent competition, which is known to negatively impact caribou survival.</p> <p>We request that the EIS describes a commitment to monitoring ungulate and predator densities within the RSA generally, as well as associated mitigations and adaptive management responses as required to minimize impacts to caribou.</p>	
71.	BNDN	EIS Table 14.4-1	Increased Predator Access: We agree with the mitigations proposed in response to the potential for increased predator access. In addition to those	

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	(October 12, 2022)		<p>listed, we would like to see a commitment to long-term monitoring of predator movement along linear features in the vicinity of the proposed project.</p> <p>We request that monitoring of potential increased predator access due to site activities and linear feature enhancement. Furthermore, it is important that specific thresholds are defined, through consultation with BNDN during development of the caribou mitigation and offsetting plan.</p>	
72.	BNDN (October 12, 2022)	EIS Table 14.4-1 & W-09	<p>Increased Public Access: The EIS states that despite BNDN concerns, the Project “would not increase” public access, recreational access to non-Indigenous users or decrease opportunities for indigenous harvesters. We believe that this claim (“would not increase”) is not sufficiently justified or explained in the text. We recognize the mitigations described in 14.4-1 but would also like to see follow-up monitoring of these access levels. We request a commitment to long-term monitoring of public access through the study area to ensure the scenarios of concern (described in section 14 W-09) are not occurring. This monitoring must be completed through ongoing consultation with BNDN and must be associated with management responses up to and including limiting certain types of road use.</p>	
73.	BNDN (October 12, 2022)	EIS Table 14.4-1 W-03	<p>We acknowledge the preliminary list of potential sensory disturbance and effective habitat loss mitigations described in section W-03. However, we believe that more robust mitigations are required to protect caribou from the extensive effective habitat loss that is expected.</p> <p>We request that the sensory disturbance mitigations include a commitment to modifying operations as required up to, and including, complete suspension of all construction, operations or decommissioning activities.</p> <p>A full work stoppage and site shutdown must be required in the event caribou proximity during specific, sensitive contexts (e.g. calving, post-calving). The details of this mitigation must be developed in consultation with BNDN.</p>	
74.	BNDN (October 12, 2022)	EIS Table 14.4-1	<p>Table 14.4-1 presents a wide array of general wildlife impact mitigations, which generally demonstrate thorough consideration for industry best-practices. All the proposed mitigations to wildlife impacts are only described at a very generalized and high level in the EIS. It is not possible to comment</p>	

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			<p>about whether these proposed mitigations will meaningfully diminish impacts without BNDN’s ongoing and direct involvement in the refinement of all mitigation planning.</p> <p>BNDN must be meaningfully involved in the development of mitigation and offsetting plans to ensure that proposed impacts are sufficiently reduced. BNDN must also be directly involved in carrying out the proposed project’s wildlife monitoring and mitigations. Numerous specific mitigations may be required to achieve this, such as, but not limited to:</p> <ul style="list-style-type: none"> i. work stoppages in specific contexts such as the proximity of caribou in calving, post-calving or other sensitive periods; ii. establishment of a standardized Breeding Bird Survey route along the site access road, which must be surveyed prior to, throughout and after all construction, operations and decommissioning; iii. wildlife crossings, culverts, and fencing to prevent road mortality of Canadian toad iv. wildlife mortality monitoring and deterrents on powerlines, windows, vehicles, buildings, etc.; v. installation of compensation habitat structures from tree removals, such as properly designed and installed bat maternity roost boxes; vi. annual waterfowl density monitoring; vii. SAR bird targeted annual monitoring 	
75.	BNDN (October 12, 2022)	TSD, pg. iv.	<p>It is stated that monitoring would be implemented to verify risk assessment model predictions and to update (and improve) model predictions when the Project begins. This would reduce uncertainty in risk assessment predictions and support an adaptive management framework.</p> <p>It is important to ensure that BNDN members are actively involved in the monitoring program, and should unacceptable risks be found to occur with updated environmental data and modelling, the Nation must be notified in a timely manner through the Joint Working Group, Indigenous Environmental Committee, Leadership and Indigenous Monitors.</p>	
76.	BNDN (October 12, 2022)	TSD Section 4.2.1, page 4.3	<p>Mine-affected groundwater is assumed to reach Patterson Lake North Arm – West Basin, from the upper horizon, in 1000 years. Groundwater originating beneath the waste rock area is predicted to reach Patterson Lake in 43 years</p>	

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			(north) and 77 years (south). Will groundwater monitoring be carried out to assess whether these timeframes are accurate? Should groundwater reach Patterson Lake earlier than expected, this must be accounted for in the exposure and risk calculations.	
77.	BNDN (October 12, 2022)	TSD Section 4.2.3.1, page 4.4	<p>For molybdenum, concentrations were screened using the Saskatchewan Water Security Agency guideline of 31 mg/L rather than the CCME guideline of 0.073 mg/L. There is a significant difference between the two values (i.e., orders of magnitude), with the less conservative value used in the screening process.</p> <p>Additional discussion is warranted on the difference in scientific basis between both guideline values. Rationale for choosing a less conservative value is required. What impact, if any, is there on the risk assessment assumptions and conclusions?</p>	
78.	BNDN (October 12, 2022)	TSD Section 4.2.3.1, page 4.4	Phosphorous was not considered a COPC in the risk assessment. The rationale provided for this in the report is that it is a nutrient rather than a toxicant. Given the use of surrounding waters by Indigenous community members, elevated phosphorous concentrations could impact nuisance algae growth and disturb the overall healthy functioning of the aquatic system. Further discussion of phosphorous impacts to the aquatic system is warranted.	
79.	BNDN (October 12, 2022)	TSD Section 4.2.3.1, page 4.5 and EIS Section 15.2.8.2, p. 15-30	<p>In the selection of COPCs to further consider in the risk assessment, it is stated that if upper bound concentrations of COPCs in runoff exceeded guidelines but did not exceed in the treated effluent, they were not considered COPCs in the risk assessment. This was true for cadmium, iron and manganese. However, Section 15.4.3, page 15-48 states that runoff from the Project footprint may cause changes to surface water and sediment quality and adversely affect human health.</p> <p>Chemical concentrations exceeding guidelines in runoff alone must still be considered as COPCs in the risk assessment. The human health risk assessment process is designed to be conservative in nature and capture all potential risks to human health.</p>	
80.	BNDN	TSD, Table 4.2	Arsenic was carried forward in the risk assessment as the concentration at the edge of the mixing zone was found to be only <i>marginally</i> below the guideline.	

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	(October 12, 2022)		<p>It is unclear why this same rationale was not used to carry forward mercury in the risk assessment. This is especially important given that sulphate was also carried forward for further assessment</p> <p>Mercury must be carried forward as a COPC in the risk assessment given it is only marginally below the screening value. Mercury concentrations, coupled with input of sulphate, could result in the production of methylmercury, which is of major concern to human health. Methylmercury can bioaccumulate in aquatic biota including fish and affect the health of those consuming impacted fish as part of their diet</p>	
81.	BNDN (October 12, 2022)	TSD Figure 5-5 and Figure 15.2-5, p. 15-35	<p>Dermal contact with surface water is missing from the Human Health Conceptual Model. In addition, groundwater should be added in given discharge to surface water and subsequent exposure to humans is a complete pathway.</p> <p>The CSM must be revised to include all applicable exposure pathways in the HHRA.</p>	
82.	BNDN (October 12, 2022)	TSD, Section 5.2.3.1, p. 5.22	<p>It is stated that the N288.1-20 Human Diet was selected over the Health Canada diet for humans, resulting in an assumed diet of 706 kg/yr versus 808 kg/yr.</p> <p>A rationale for using the less conservative value is required. How will this impact the conclusions of the HHRA?</p>	
83.	BNDN (October 12, 2022)	TSD, Table 5-6	<p>It is stated that Northern pike was used as a Representative Ecological Receptor for predator fish species.</p> <p>Please provide additional rationale for using Northern Pike over Walleye. Would this be considered more conservative given differences in their feeding behavior and activity patterns?</p>	
84.	BNDN (October 12, 2022)	TSD Tables 5-7, 5-9 and 5-10	<p>Dose calculations for sediment pathways do not appear to have been calculated. Incidental ingestion and dermal contact with sediment were identified as complete exposure pathways in the HHRA (i.e., Section 15.8.2.1 states that contact with sediment could occur). Sediment pathways are also listed in Table 15.2-5, p. 15-34.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			Exposures and associated health risks should be quantified for all complete human health exposure pathways, including sediment.	
85.	BNDN (October 12, 2022)	TSD – Section 5.4.1.1.1, page 5.81	<p>The molybdenum hazard quotient (HQ) for the base case exceeded the hazard acceptability benchmark of 0.2 for terrestrial animal ingestion for the one-year-old subsistence harvester (Patterson Lake South Arm and Beet Lake Lloyd Lake) and one year old seasonal resident (Paterson Lake South Arm, Lloyd Lake). Although the Project is stated as not significantly changing the existing base case hazard estimate and therefore only contributing minimally to existing risk from consuming traditional foods impacted with molybdenum, further discussion around health hazards associated with molybdenum are warranted. In addition, further discussion is warranted around the uranium HQs calculated for this same receptor given concern expressed by Indigenous community members. The uranium HQ for terrestrial animal consumption was only marginally below the hazard acceptability benchmark (i.e., 0.17 vs. 0.2). The total uranium HQ for all pathways considered is 0.256, which is driven by two pathways, namely ingestion of terrestrial plants and animals.</p> <p>Calculated HQs for both molybdenum and uranium warrant further discussion in the HHRA. Even though the Project may not contribute significantly to the health hazards for these chemicals (over existing conditions), the health impacts for both chemicals must be fully discussed. Consumption of traditional foods is of importance to many community members.</p>	
86.	BNDN (October 12, 2022)	EIS Section 5.4.1, Page 5.79	It is stated that, to be protective, a benchmark HQ of 0.2 per medium (e.g., water, soil, food and air) would be acceptable. It is unclear what the total HQ (sum of pathways) was compared to? Was the total HQ calculated also compared to a benchmark of 0.2? This requires further discussion in the risk assessment (especially for uranium).	
87.	BNDN (October 12, 2022)	TSD Table 5-18 and EIS Section 15.5.1.1	Table 15.5-1 indicates that molybdenum exposure for the one year-old subsistence harvester at the Patterson Lake South Arm and the one-year-old seasonal resident at Patterson Lake Southern Arm were above the hazard acceptability benchmark of 0.2 for the terrestrial animal exposure pathway (base case). However, Section 15.5.1.1 only discusses uranium HQs as being of concern. Both uranium and molybdenum HQs must be discussed.	

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88.	BNDN (October 12, 2022)	TSD – Section 5.4.1.1.2	<p>The incremental lifetime cancer risk from arsenic exposure for the subsistence harvester at Patterson Lake South Arm was predicted to be 4/100,000 in both the Application Case and the reasonable upper bound sensitivity scenario. The risk acceptability benchmark is 1/100,000. The baseline cancer risk from arsenic for this same receptor was predicted to be 69/100,000. Although the additional risk associated with the Project might seem small in comparison to the baseline case, an increase of 4 per 100,000 is still 4 times the acceptability benchmark and warrants further consideration in the assessment. Discounting the Project-associated risk based on the current risk level is concerning for those who consume traditional foods in the area.</p> <p>Additionally, it is stated that the assumed ingestion rates of moose and moose organs were likely conservative and were based on the rates provided in the FNFNES study. Was the assumed ingestion rate discussed with members of the JWG to determine if that value is indeed conservative or is it actually representative of those community members who rely on moose as a food source in the area?</p> <p>Further details and context are required around the calculated risk associated with exposure to arsenic in the HHRA. More specifically, discussion around what the factor of four exceedance of the risk acceptability benchmark means for those consuming country foods is required.</p> <p>Additional rationale for why the assumed ingestion rate for moose and moose organs is considered conservative is also warranted. How was this determined?</p>	
89.	BNDN (October 12, 2022)	EIS Section 15, Appendix A, Section 3.3, p. 316	<p>It is stated that concentrations in sediment were modelled based on concentrations in water. No baseline sediment data was collected.</p> <p>It is unclear why sediment data were not collected as part of the baseline assessment given assumed discharge to the aquatic environment will occur as part of the Project. Not having sediment data adds a level of uncertainty to the risk assessment.</p>	

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90.	BNDN (October 12, 2022)	EIS Section 15.5.1.2, page 15-58	<p>Information is provided on various risk acceptability benchmarks and what each is interpreted to mean (low risk, very low risk, range of medical procedures etc.). It is also important to note, here, that the risk acceptability level of 1 in 100,000 prescribed by Health Canada could be considered less conservative than those used in other jurisdictions (i.e., it is 1 in 1 million in Ontario). Therefore, exceeding the benchmark put forward by Health Canada (i.e., 4 per 100,000) does indicate that potentially unacceptable risks are predicted. This should not be dismissed in the risk assessment. Even though it is stated that risks from arsenic from the Project are small in comparison to the baseline risks, addition of arsenic to the system will increase risks to human health.</p> <p>The HHRA report must be updated to clearly state what an exceedance of the risk acceptability benchmark means for those exposed to arsenic.</p>	
91.	BNDN (October 12, 2022)	EIS Section 15.8, page 15-76.	<p>The proposed Country foods monitoring program could include a voluntary program whereby hunters submit samples of moose (including organs) to help verify model assumptions and predictions. This should be developed with communities, and the JWG, and implemented by Indigenous Environmental Committees and Indigenous Monitors (to be established). Fish sampling should include walleye to determine if Northern Pike is a representative surrogate species in the risk assessment calculations.</p> <p>The Indigenous-led Country Foods Monitoring Program must consider sample submission from hunters (moose and moose organs) and fishers (Northern pike and walleye).</p>	
92.	BNDN (October 12, 2022)	EIS Section 7.0	<p>Project-related particulate emissions for PM10 and TSP are predicted to exceed SAAQS and CAAQS during construction based on NexGen air dispersion modeling. Baseline data shows previously observed exceedances of PM2.5, PM10 and TSP during wildfire events. Particulate exceedances have negative impacts on human health (especially for elderly people or those with respiratory conditions) and increase particulate deposition on vegetation and waterbodies. The potential for significant exceedances exists if construction particulate emissions are combined with wildfire related particulates.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Project construction or operations must be halted or modified during exceedance conditions for PM2.5, PM10, and TSP During wildfire events which cause particulate exceedances, NexGen must halt or modify construction/operations to reduce cumulative particulate emissions in the region.</p>	
93.	BNDN (October 12, 2022)	EIS Section 7.0	<p>Diesel power generators contribute to the majority of construction related air emissions including the majority of NO2, CO, PM 2.5 and GHGs. Diesel combustion has a significant contribution to the Project’s overall carbon footprint and local air quality that could be easily avoided using better technology.</p> <p>NexGen must abandon plans to utilize diesel for power generation during construction. Diesel power generators are not considered Best Available Technology Economically Achievable (BATEA) for power generation. The GHG emissions and air pollutant emissions would be drastically decreased if alternative technology was implemented. The use of LNG or renewables during construction must be explored further and implemented into the final Project design.</p>	
94.	BNDN (October 12, 2022)	EIS Section 7.0	<p>Diesel emissions associated with mining equipment, pickup trucks and other equipment are a major source of Project-related NO2, CO, PM 2.5 and GHGs. Diesel combustion has a significant contribution to the Project’s overall carbon footprint and local air quality that could be easily avoided using better technology.</p> <p>NexGen must look to decrease the Project’s reliance on diesel fuel and utilize Best Available Technology Economically Achievable (BATEA) for mining equipment and other infrastructure. The GHG emissions and air pollutant emissions would be drastically decreased if alternative technology was implemented. The use of LNG or electric mining equipment must be further explored and implemented into the final Project design.</p>	
95.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen’s residual effects assessment for air quality does not include Dioxins and Furans compound (D&F) emissions despite acknowledging waste incineration and other activities will produce D&F emissions. There is no commentary on the results of air dispersion modeling for D&F or the potential effects on air quality/human health.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Dioxins and Furans compound (D&F) emissions must be included in the residual effects assessment for air quality. The results of air dispersion modeling for D&F emissions must be discussed in the EA and compared against relevant or equivalent regulatory standards. This will allow BNDN to better assess the fulsome Project-related air quality effects.</p>	
96.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen’s residual effects assessment for air quality does not include radon or other radionuclides despite the air dispersion model confirming radionuclide emissions. There is no commentary on the results of air dispersion modeling for radon or other radionuclides or the potential effects on air quality/human health.</p> <p>Radon and other radionuclides must be included in the residual effects assessment for air quality. The results of air dispersion modeling for radon and radionuclides must be discussed in the EA and compared against relevant or equivalent regulatory standards. This will allow BNDN to better assess the fulsome Project-related air quality effects.</p>	
97.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen’s residual effects assessment for air quality does not include metals, despite acknowledging that Project related dust will include metals. There is no commentary on the results of air dispersion modeling for metals or the potential effects on air quality.</p> <p>Metals contained in Project-related dust must be included in the residual effects assessment for air quality. The results of air dispersion modeling for metals were discussed in the EA and compared against relevant or equivalent regulatory standards. In this case, since the SAAQS do not include standards for metals, the Ontario Ambient Air Quality Criteria (AAQCs) must be used as a substitute for comparison and discussion purposes (similar to the use of the Alberta standard for sulphuric acid in the absence of a SAAQS in Section 7.1).</p> <p>The following metals must be included in the revised residual effects assessment. This will allow BNDN to better assess the fulsome Project-related air quality effects.</p> <ul style="list-style-type: none"> o Uranium (U) 	

Number	Source	Reference to EIS, appendix, or TSD	Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)	NexGen Response
			<ul style="list-style-type: none"> o Vanadium (V) o Zinc (Zn) o Cesium (Cs) o Bismuth (Bi) o Calcium (Ca) o Iron (Fe) o Magnesium (Mg) o Manganese (Mn) o Sodium (Na) o Silver (Ag) o Arsenic (As) o Barium (Ba) o Beryllium (Be) o Cadmium (Cd) o Cobalt (Co) o Chromium (Cr) o Copper (Cu) o Mercury (Hg) o Molybdenum (Mo) o Nickel (Ni) o Lead (Pb) o Antimony (Sb) o Selenium (Se) o Tin (Sn) o Thorium (Th) 	
98.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen acknowledges that Project related dust (PM10, PM2.5 and TSP) contains numerous trace metal compounds. However, NexGen does not specify how trace metals will be monitored during the Project. It is important for BNDN members to understand the composition of the Project-related dust they will be inhaling. Further, Project-related dust will also deposit on traditionally important vegetation communities and surface water resources.</p> <p>NexGen must monitor Project-related dust for trace metal concentrations to determine which trace metals are contained in Project related dust and at what</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			concentration. This will help BNDN members to understand potential risks with the inhalation or deposition of Project related dust.	
99.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen acknowledges that Project related waste incineration will produce Dioxins and Furans (D&F) compounds emitted from a domestic waste incinerator and a low-level radioactive waste incinerator compounds. However, NexGen does not specify how D&F will be monitored during the Project.</p> <p>NexGen must monitor Project-related D&F to determine actual concentrations near the Project site. This will help BNDN members to understand potential risks with associated the D&F emissions from the Project.</p>	
100.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen acknowledges that the Project will release radionuclides including radon emissions. However, NexGen does not specify how radionuclides including radon will be monitored during the Project.</p> <p>NexGen must monitor Project-related radionuclides including radon to determine actual concentrations near the Project site and work exposure. This will help BNDN members to understand potential risks associated with the radionuclides and radon emissions from the Project.</p>	
101.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen does not specify how it will monitor air contaminant concentrations during all phases of the Project. Continuous on-site ambient air monitoring for all contaminants of concern (including particulates, metals, D&F and radon) is the only way to truly assess the Project's impact on air quality and compliance with government standards.</p> <p>Without proper on-site monitoring tracking Project-related air contaminant exceedances will be impossible NexGen must conduct continuous on-site monitoring for all contaminants of concern (including particulates, metals, D&F and radon) in order to assure regulatory compliance and verify the accuracy of air dispersion models and EA predictions.</p>	
102.	BNDN (October 12, 2022)	EIS Section 7.0	It is unclear what type of waste will be incinerated in the Low-level radioactive waste incinerator Please specify the type of waste, approximate volumes and radiation levels of the waste that will be incinerated in the Low-level radioactive waste incinerator.	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
103.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen acknowledges the Project’s contribution to climate change through GHG emissions but does not outline any plan to offset GHG emissions. Another major mine in Canada, the Canadian Malartic Mine in Quebec (joint venture between Yamana Gold Inc. and Agnico Eagle Mines Limited) has a climate change offset plan in which carbon emissions are tracked and offsetting plans are developed (Canadian Malartic, 2014).</p> <p>NexGen must develop a GHG/Carbon offsetting plan in order to mitigate some of the potential impacts of the Project to climate change. NexGen could work with BNDN on initiatives that help to offset the Project’s GHG emissions (e.g., tree planting, wetland restoration, carbon offsets). This would demonstrate corporate social responsibility and climate stewardship on NexGen’s behalf.</p>	
104.	BNDN (October 12, 2022)	EIS Section 7.0	<p>The GHG emissions model does not include emissions related to fuel hauling or other freight for the Project. NexGen must include the GHG emissions related to fuel hauling and freight in their GHG emissions model.</p>	
105.	BNDN (October 12, 2022)	EIS Section 7.0	<p>The Project is reliant on burning fossil fuels for power generation, mine processing activities and equipment. The GHG intensive nature of the Project’s construction and operation phases are a concern for BNDN and not in line with federal or provincial directives to reduce GHGs. Cleaner technology and fuel sources are available to reduce the Project’s GHG emissions. For a project that is based around supplying fuel for the energy transition, a more progressive approach that utilizes Best Available Technology is required in order to reduce GHG emissions.</p> <p>Where feasible NexGen must implement the use of low carbon technology and fuels in the final Project design to reduce GHG emissions. Specifically, NexGen should redesign the Project to:</p> <ul style="list-style-type: none"> • Use renewable energy sources for electricity generation (e.g., wind, solar) as early in the project lifecycle as possible • Replace all diesel electricity generation with LNG generators (and add in renewables where feasible) for construction phase • Replace all mine equipment and vehicles with electric or LNG models • Use renewable energy to power mine heaters 	

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106.	BNDN (October 12, 2022)	EIS Section 7.0	<p>NexGen acknowledges that mining and milling uranium ore releases radionuclides into the environment This occurs through the crushing and grinding of the ore, wind erosion of the tailings, and the release of radon gas. The most persistent radionuclides have the longest half-lives; thus, U in ore dusts, 226Ra and 210Pb in tailings dusts, and 210Pb and 210Po aerosols from radon gas decay are of greatest concern (Thomas & Gates, 1999). The lichen-caribou-human food chain is the most sensitive and effective food chain on earth for concentrating airborne radionuclides (Thomas & Gates, 1999). Lichens are better at accumulating atmospheric radionuclides than other vegetation because they have no roots, a large surface area, and a long-life span (Thomas & Gates, 1999). Lichens are the main food source for woodland caribou, which is a dietary staple for BNDN members and a sacred animal in Dene culture. Airborne radionuclides, particularly cesium- 137 (137Cs), lead-210 (210Pb), and polonium210 (210Po), are transferred efficiently through this simple food chain to people, elevating their radiological dose (Thomas & Gates, 1999). The increased deposition of these radioactive particles on lichens in the mining area could increase radiation doses in both caribou and people who eat the caribou.</p> <p>BNDN members are concerned about the potential health impacts (e.g.,cancers) associated with airborne radionuclides and consuming woodland caribou with elevated radiation doses as a result of consuming lichen that has bioaccumulated radionuclides associated with uranium mining.</p> <ul style="list-style-type: none"> a) NexGen must develop a wild foods monitoring program to monitor radionuclides levels in culturally significant species such as woodland caribou, moose, blueberries, and other species identified by BNDN and other Indigenous groups. This must be done in collaboration with BNDN and other Indigenous groups. The program must include a component by which harvesters can submit wild food samples for analysis if they have concerns. b) NexGen must also develop a follow-up monitoring program to monitor the deposition of radionuclides in the environment, specifically on lichen and other sensitive vegetation communities. 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			c) NexGen must revise the air quality residual effects assessment to include radionuclides.	
107.	BNDN (October 12, 2022)	EIS Executive Summary Section 2.3.1, P36	It is noted that the stockpiles for PAG and NPAG are connected together based on the general layout shown in Figure 2.3-7. The design measures to prevent the contact water flow from the PAG to NPAG through the contact boundary is not clear in the report. Please clarify the design measures to prevent the contact water flow from the PAG to NPAG through the contact boundary between the two stockpiles.	
108.	BNDN (October 12, 2022)	EIS Executive Summary Section 2.3.1, P36	During development of the potentially acid generating WRSA, potentially acid generating rock would be placed in alternating lifts of waste rock and borrow material to provide engineered source control to reduce the advective air flux through the placed material, thereby reducing potential effects to the environment. Due to a large demand quantity of the borrow materials, the source of the potential borrow pits should be described. The potential borrow areas for acid WRSA construction should be described as part of the EA study.	
109.	BNDN (October 12, 2022)	EIS Executive Summary Section 2.3.2, P38-39	The flood design criteria for all Water Management Ponds (WMP) are not described in this Section, which are considered as the critical design parameters. The flood design criteria for all WMPs must be documented in the Master Executive Summary Report. It is noted all ponds and collection areas would be designed to accommodate a PMP 24-hours event of 489.2mm in EIS Report (NexGen 2022).	
110.	BNDN (October 12, 2022)	EIS Executive Summary Section 2.3.2, P44	In Section of Project Design Features for Long-Term Environmental Protection, HDPE geomembrane lined stockpiles (Ore Storage Stockpile, Special Waste Rock Stockpile, Potential Acid Generating WRSA) and WMPs are the important design features for long-term environmental protection, which should be included in this Section. We recommend adding HDPE geomembrane lined stockpiles and WMPs are the one of important design features for long-term environmental protection.	
111.	BNDN (October 12, 2022)	EIS Executive Summary Section 2.3.3, P46	In construction sequence: “Strip topsoil layers, subsoil material and organic materials and stockpile for future reclamation”. The proposed locations for the stockpiles for the striped in-situ materials are not shown in the general layout drawing in Figure 2.3-1 (P26).	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			The proposed locations for the stockpiles for the stripped in-situ materials must be planned in the general layout drawing.	
112.	BNDN (October 12, 2022)	EIS Executive Summary Section 5.3.1, P119	Groundwater elevation: During operation, seepage to the mine would result in a depressurization of the surrounding bedrock, which would be observed as a reduction in ground water elevation (i.e., Drawdown). Based on our prior experience, the dewatering (drawdown) process will cause the ground settlement, which should be assessed prior to dewatering activity at the mine site. Ground settlement for the project site induced by the dewatering during mine operation must be assessed.	
113.	BNDN (October 12, 2022)	EIS Executive Summary Section 7 Reference, P199	<p>Three references which may be related to the dam and tailings/water management facilities, missed, including:</p> <ul style="list-style-type: none"> • MNR, 2011. Ontario Ministry of Natural Resources (MNR) and Forestry 2011 Lakes and Rivers Improvement Act (LRIA), Dam Safety Guidelines • CDA, 2013. Canadian Dam Association (CDA) Guidelines for Public Safety around Dams MAC, 2011. Mining Association of Canada Developing an Operation, Maintenance and Surveillance Manual for Tailings and Water Management Facilities <p>We recommend adding the three references to the list, which will be followed in the embankment and WMPs design.</p>	
114.	BNDN (October 12, 2022)	EIS Section 5.4.4.1, P5-63	<p>It is noted that the stockpiles for PAG and NPAG are connected together based on Figure 5.4-11. The design measures to prevent the contact water flow from the PAG to NPAG through the contact boundary is not clear in the report.</p> <p>Please clarify the design measures to prevent the contact water flow from PAG to NPAG through the contact boundary between the two stockpiles.</p>	
115.	BNDN (October 12, 2022)	EIS Section 5.4.4, P5-62 to 5-64	Design Criteria for the slope stability (Safety Factor) for the stockpiles under various loading conditions are not described. Design Criteria for the slope stability (Safety Factor) for the stockpiles must be defined in the report.	

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116.	BNDN (October 12, 2022)	EIS Section 5.4.5.2, P5-68	The design criteria (flood and earthquake) for the proposed perimeter embankments for WMPs are not documented in the report. CDA guideline (2013) should be followed to determine the design criteria for the perimeter embankment. Design criteria for the pond perimeter embankments must be defined based on CDA guidelines.	
117.	BNDN (October 12, 2022)	EIS Section 5.5.1, P5-83	Strip topsoil layers, subsoil material and organic materials and stockpile for future reclamation". The proposed locations for the stockpiles for the striped in-situ materials are not shown in the general layout drawing. The proposed location of the stockpiles for strip in-situ soil must be shown in the site layout drawing.	
118.	BNDN (October 12, 2022)	EIS Section 8.5.1.1.1, P8-54	The groundwater elevation will draw down about 5 m and extend approximately 2km to the north, 4 km to the south, and 3.5 km in both east and west directions. Based on our prior experience, the dewatering (drawdown) process will cause ground settlement, which should be assessed prior to dewatering. Ground settlement for the project site induced by the dewatering during mine operation must be assessed.	
119.	Canadian Environmental Law Association (CELA) (October 12, 2022)		The Draft EIS should be updated to include a timeline of various far-future scenarios, which would provide a visual of the potentially adverse environmental effects that future generations would be burdened with should this Project be approved.	
120.	CELA (October 12, 2022)		To ensure the purposes set out in sections 4(1)(b) and 4(2) of CEAA 2012 are upheld, greater attention must be paid to the precautionary principle. This means the far-future scenarios proposed by NexGen need to be re-assessed to align with any further data provided for VCs and boundary scoping	
121.	CELA (October 12, 2022)		In order to fulfill CEAA 2012's purpose promoting sustainable development and upholding international climate commitments, NexGen must incorporate climate change within sustainability, specifically applying a presumption of harm approach towards the projects that would depend on the uranium produced by the proposed Rook I Project.	
122.	CELA (October 12, 2022)		The Purpose of this Project needs to be re-assessed to ensure that the information before the CNSC is grounded in sustainability, and does not contribute to irreversible environmental effects at a local or global scale.	
123.	CELA (October 12, 2022)		The EIS should be updated to include management plans, monitoring and follow-up programs, or decommissioning and reclamation plans to allow the	

Number	Source	Reference to EIS, appendix, or TSD	Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)	NexGen Response
			CNSC to consider the sustainability of the project and the measures that would be implemented to protect future generations from environmental harm.	
124.	CELA (October 12, 2022)		NexGen needs to rectify the deficiencies in the cumulative effects assessment by reconducting the scoping phase in accordance with CELA’s VC and boundary recommendations.	
125.	CELA (October 12, 2022)		The EIS be updated to clearly identify all the types of cumulative effects that were assessed for each VC.	
126.	CELA (October 12, 2022)		The EIS should include a matrix or table which would present information regarding rationale for including each physical activity identified and the VCs that they may effect.	
127.	CELA (October 12, 2022)		The components identified as “intermediate components” need to be assessed in the same manner as “valued components” and must undergo the full 5-step framework for conducting a cumulative effects assessment.	
128.	CELA (October 12, 2022)		“Avoiding redundancy” is not an acceptable reason for excluding fish species from VC scoping, and when selecting fish VCs, rationale come from a balancing of the recommended lines of reasoning: primary data collection, computer modelling, literature references, public consultation, expert input or professional judgement. As a result, the scoping of fish species VCs needs to be restarted to ensure that the cumulative effects assessment accurately captures the potentially adverse environmental effects that would require mitigation and monitoring.	
129.	CELA (October 12, 2022)		The EIS should provide an updated cumulative effects assessment for fish and fish habitats to reflect proper selection of fish VCs.	
130.	CELA (October 12, 2022)		The proponent should re-evaluate its confidence level of moderate to high in assessing cumulative effects on vegetation VCs, as this determination likely arose from a faulty conclusion based on uncertain climate change assumptions.	
131.	CELA (October 12, 2022)		Any vegetation species disqualified from being included as a VC on the grounds of redundancy should be re-evaluated to ensure the cumulative effects assessment of vegetation accurately captures any potential environmental effects requiring mitigation and monitoring.	
132.	CELA (October 12, 2022)		Any wildlife species disqualified from being included as a VC on the grounds of redundancy should be re-evaluated to ensure the cumulative effects	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			assessment of wildlife and wildlife habitat accurately captures any potential environmental effects requiring mitigation and monitoring.	
133.	CELA (October 12, 2022) – p. 45		Federally listed wildlife species (northern myotis, common nighthawk, and barn swallows) should not be excluded from VCs on the grounds of “appropriate representation” by other species.	
134.	CELA (October 12, 2022) – p. 45		The EIS should be updated with cumulative effects assessment scoping for potential insect VCs	
135.	CELA (October 12, 2022) – p. 45		The Caribou Mitigation and Offsetting Plan needs to accompany the EIS in order to determine mitigation measures will effectively reduce residual effects on woodland caribou.	
136.	CELA (October 12, 2022) – p. 45		The scoping of spatial boundaries for VCs associated with water should encompass the Lake Athabasca Basin	
137.	CELA (October 12, 2022) – p. 45		Certain VCs would benefit from spatial boundaries being refined ecologically (e.g., utilizing watershed boundaries), and the proponent should assess whether certain ecological boundaries need to be utilized to provide a more fulsome scope of potential physical activities that may interact cumulatively with the proposed project.	
138.	CELA (October 12, 2022) – p. 45		The cumulative effects assessment for the EIS should revisit the temporal boundaries of different VCs, and apply more VC-centric or ecosystem-centric modelling for temporal boundaries. The application of an activity-centric temporal boundary arises in too many issues due to the complex timeline of a uranium mine’s potential environmental effects which exceed the 43-year operation timeline.	
139.	CELA (October 12, 2022) – p. 45		The 92 mineral dispositions located in close proximity to the Rook I Project site should be considered reasonably foreseeable physical activities (future mines), and should therefore be included in the cumulative effects assessment for the Rook I Project.	
140.	CELA (October 12, 2022) – p. 45		The EIS be updated to provide include source, quantity, mechanism, pathway, rate, form and characteristics of contaminants and other materials (physical and chemical) likely to be released to the surrounding environment during the 93 postulated malfunctions and accidents, pursuant to REGDOC-2.9.1.	
141.	CELA (October 12, 2022)		The sheer volume of hazards identified by NexGen indicate that a bounding scenario approach is not appropriate for assessing the accidents and malfunctions associated with this project. The EIS should not use a bounding	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>approach, and should be revised to use a different approach for assessing accidents and malfunctions to ensure all identified accident/malfunction scenarios are adequately reviewed.</p>	
142.	CELA (October 12, 2022)		<p>The 4-Step process identified by the CEA Agency for considering the alternative means for this project should be used in the EIS.</p>	
143.	CELA (October 12, 2022)		<p>The vague and inconsistent references to VCs within the alternative means assessments fail to develop a sufficient understanding of potential environmental effects of the alternative means under consideration, and therefore the alternative means assessment within the EIS carefully assess potential effects on VCs.</p>	
144.	CELA (October 12, 2022)		<p>A gamma radiation monitoring program should be in place to determine the gamma radiation levels close to the ore and waste rock stockpiles. The monitoring program must specify the frequency of monitoring, how data will be made available to workers, and thresholds which will be put in place to ensure radiation doses remain As Low As Reasonably Achievable. Critical to the health and safety of all workers at the site is radiation protection. This issue is given little attention in the draft EIS and must be remedied.</p>	
145.	CELA (October 12, 2022)		<p>All employees who frequent the area must wear a gamma radiation dosimeter badge. The gamma radiation dosimetry badges worn by employees must be replaced on a quarterly basis. Workers' written consent must be obtained for a position where exposure to radiation above the allowable annual dose to the public may occur.</p>	
146.	CELA (October 12, 2022)		<p>Proper signage should be place in the area indicating that gamma radiation exposure is in effect. This area should be delineated with a barrier such as a fence or berm.</p>	
147.	CELA (October 12, 2022)		<p>A program should be in place for wetting the ore and special waste stockpiles to reduce air born radioactive dust. The special waste rock may contain insufficient grade but still has some uranium content. This is especially necessary as radioactive dust could be blown towards buildings, such as the bunk houses and as a result radon levels could increase within the buildings.</p>	
148.	CELA (October 12, 2022)		<p>A radon progeny and gamma radiation program must be implemented for all underground and surface employees. The gamma radiation dosimetry badges worn by employees must be replaced on a quarterly basis. Radon progeny</p>	

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			testing must be completed at all underground workplaces and designated surface locations on a monthly basis.	
149.	CELA (October 12, 2022)		The Working Level results and hours worked at each workplace must be documented to determine the radiation dose for each employee. The accumulated yearly radiation dose from radon progeny should not exceed 4WLM/year (Working Level Month). More information on radiation protection is found in Section 4 of the CNSC Radiation Protection Program. All licensees are required to implement a radiation protection program and this ought to be profiled and detailed in the draft EIS.	
150.	CELA (October 12, 2022)		The Environmental Protection Program, Industrial Air Source Environmental Protection Plan and baseline monitoring program would continue through all phases of the project. Radon gas and dust monitoring from mining activities not clearly defined.	
151.	CELA (October 12, 2022)		An Environmental Surveillance Program should include ambient air monitoring stations for control measures. The types of air monitoring equipment must include dust fall jars, high-volume air sampling units, meteorological stations, and radon detector monitoring stations. Air monitoring stations for radon should be installed in buildings on the mine sites. This would include bunk houses and other enclosed areas where radon could accumulate to elevated levels. Radon detectors should be located at the mine exhaust and downstream to determine radon concentrations. Dust fall jars must also be installed downstream of the mine exhaust to determine the distance the mine dust could potentially travel and accumulation of airborne radionuclides.	
152.	CELA (October 12, 2022)		Ground water monitoring boreholes should be installed at several locations around the perimeter of the ore, special waste and acid generating stockpiles. Testing of the ground water on a semi-annual schedule would ensure that the ground water surrounding the stock-piles does not become contaminated and to ensure the integrity of the polyethylene liner has not failed.	
153.	CELA (October 12, 2022)		The contingency pond should be kept full of water as to not allow the polyethylene liner to dry out and crack and to allow frost build-up in the ground under the liner and potentially cracking it.	

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154.	CELA (October 12, 2022)		The potentially acid generating stockpile should be dual-lined. Acid generated from this pile could potentially cause deterioration of the liners and contaminate the ground water.	
155.	CELA (October 12, 2022)		There is no mention of which water disinfection treatment would be used for the potable water treatment system. Disinfection kills or removes pathogens from drinking water, reducing health risks. You can disinfect water by adding chemicals, ultraviolet (UV) radiation, filtration, or a combination of these methods.	
156.	CELA (October 12, 2022)		The sludge generated by the operation of the sewage wastewater treatment plant should be disposed in a designated land fill location within the mine area. The location should be signed, fenced, and gated as such.	
157.	CELA (October 12, 2022)		The heavy metal sludge which was generated from the chemical treatment in the treatment plant and settled in the pond must be properly disposed. In the uranium milling process radium is removed by chemical treatment. In most cases barium chloride is added at the treatment plant. This allows the radium to precipitate out into the settling ponds producing a radium sludge. It is important that the radium is removed from the water as to not affect the water quality at the final water sampling location which must meet provincial water quality and CNSC standards. Iron precipitated by lime addition to regulate pH levels from the mine wastewater forms a sludge in the settling ponds and must be removed as to not allow the ponds to fill up with sludge. The more sludge the less retention time for treated mine water to remain in the ponds.	
158.	CELA (October 12, 2022)		Water sampling boreholes should be installed in the West Berm. This is the final overflow of the water collected around the mine site. It is essential that the ground water at this point meet all water quality standards. This would include suspended solids. The berm is designed as a filter, however the sludge accumulating against the berm may affect the ground water as well as overflow water quality.	
159.	CELA (October 12, 2022)		A silica dust monitoring program for underground workers must be implemented. Silica dust particles become trapped in lung tissue causing inflammation and scarring. The particles also reduce the lungs' ability to take in oxygen. When silica dust particles are less than 10 µm, they will stay airborne for up to several hours until gravity and electrostatic forces help them settle onto surfaces. Of greater importance, at this size, they can easily	

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			enter the lungs, where they are even more toxic than coal dust. The monitoring program should include monthly testing at all underground workplaces and the dust monitors must be worn by the mine employee.	
160.	CELA (October 12, 2022)		The global and regional importance of this wetland environment ought to be described.	
161.	CELA (October 12, 2022)		Impacts to groundwater must be sufficiently assessed in the Draft EIS report. Overall, methods and processes to protect both surface water and groundwater are not considered nor addressed adequately.	
162.	CELA (October 12, 2022)		Cumulative impacts monitoring and assessment should be detailed and described within Section 3. This could be better addressed by inclusion of a source water protection planning process.	
163.	CELA (October 12, 2022)		Noise and visual impacts should be detailed over the timing of site development and mine site operation. Impacts should be provided for time of day, and time of year. These impacts should be assessed against bird migration patterns and wildlife movement.	
164.	CELA (October 12, 2022)		Groundwater recovery after mine closure ought to be detailed as well as wetland impacts from groundwater depletion	
165.	CELA (October 12, 2022)		Baseline data on local water quality, groundwater recharge rates, and water quantity ought to be described in detail.	
166.	CELA (October 12, 2022)		Patterson Lake forms a partial headwater to downstream waterbodies including rivers, lakes and wetlands. To help address many of the aforementioned concerns around surface and groundwater condition, a source water protection (SWP) planning approach is recommended. The EIS has not taken a proactive, preventative approach to water quality protection. A threats analysis followed by a risk assessment would be a beneficial addition to the EIS.	
167.	CELA (October 12, 2022)		NexGen to provide plans for monitoring and follow-up programs and management plans specific to the various far-future scenarios to be assessed within the context of the EIS.	
168.	CELA (October 12, 2022)		NexGen provide details about the expected lifespan of the PAG WRSA liners, as well as recommended management systems for the far-future generations that would be burdened with the COPC metal concentrations expected to flow from the site.	

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169.	CELA (October 12, 2022)		NexGen should an estimate of the costs required to adequately close, as well as monitor the mine site post-closure, in order to adhere with the polluter-pays principle.	
170.	CELA (October 12, 2022)		NexGen should provide estimates for the GHG emissions associated with flights and off-site transportation, as well as estimates on the number of anticipated flights annually during the project's operations.	
171.	CELA (October 12, 2022)		There should be a re-assessment of potential pathways from the proposed Fission Patterson Lake South Property on the terrain and soils cumulative effects assessment, to ensure the precautionary principle is being adhered to.	
172.	CELA (October 12, 2022)		The EIS should include the habitat requirements for tracked bryophytes— despite the lack of data available.	
173.	CELA (October 12, 2022)		The proponent should conduct studies of bryophyte habitat requirements to assist in filling in the gaps in knowledge.	
174.	CELA (October 12, 2022)		<p>The EIS should re-assess the wildlife VCs and include the following species as VCs:</p> <ul style="list-style-type: none"> (a) Northern myotis; (b) Common nighthawk; (c) Barn swallow; and (d) River otter. <p>This is not an exhaustive list of species to reconsider as VCs; the EIS should provide an updated assessment for selecting wildlife VCs that aligns with cumulative effects assessment scoping guidelines.</p>	
175.	CELA (October 12, 2022)		NexGen should provide clarification on whether insects were as wildlife VCs, and whether any federally-listed arthropods were located within the RSA.	
176.	CELA (October 12, 2022)		NexGen should provide details about offsetting through a financial mechanism, and how that will protect both existing and far-future woodland caribou from the environmental effects of this proposed uranium mine.	
177.	CELA (October 12, 2022)		Seeking clarification on how NexGen intends to balance the mitigation measures required for different VCs (e.g., woodland caribou sensory disturbance reduction vs. detracting wildlife from contact water ponds via cannons or sonic guns).	
178.	CELA (October 12, 2022)		A revised baseline study for the vegetation VC should be conducted to accurately reflect the established RSA	

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179.	CELA (October 12, 2022)		<p>To gain a better understanding of the on-site hybrid system alternative and the economic considerations set out in the Draft EIS, the following feasibility studies should be made available for the public to review:</p> <ul style="list-style-type: none"> • SLR Consulting (Canada) Ltd. 2021. Renewable Energy Scoping Study for Mining Operations. Prepared for NexGen Energy, Arrow Development – Rook I Project. • Stantec Consulting Ltd. 2019. Alternative Energy Assessment, Arrow Deposit, Rook I Project. Prepared for NexGen Energy Ltd 	
180.	CELA (October 12, 2022)		Where will the fans be located, at the production shaft or at the fresh air intake? The size of fans and volume of air circulated must be specified.	
181.	CELA (October 12, 2022)		The proponent must detail all plans for all wastes, both non-radioactive and radioactive, including but not limited to their storage and handling, environmental monitoring, worker health and safety programs, and their oversight throughout the project’s lifecycle.	
182.	CELA (October 12, 2022)		Provide information regarding safe transport of materials offsite, including definitions for low grade or and hazard levels, impacts to road safety and roadway condition due to large trucks, and impacts borne to Indigenous communities.	
183.	CELA (October 12, 2022)		In reference to onsite wastewater (section 5.4.55) the following gaps remain: is this secondary or tertiary wastewater treatment? How will septic tank solids be removed? Where will these solids be disposed of, and how frequently? What constitutes domestic and industrial hazard waste? In what way will it be safely stored on site?	
184.	CELA (October 12, 2022)		What are the identified ecosystems that are valued in this proposed mine site development?	
185.	CELA (October 12, 2022)		What are the noise and visual impacts detailed over the timing of site development and mine site operation? Can a corridor of transit be implemented for wildlife in this area to facilitate access to and between waterbodies?	
186.	CELA (October 12, 2022)		There is no mention of how this project will adapt to the very real impacts of climate change such as increased incidence of drought and wildfire or violent weather creating floods and other sudden weather events. How will resiliency be built into this project in the face of continued regional impacts of climate change?	

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187.	Saskatchewan Environmental Society (SES) (October 12, 2022)		SES recommends that evaluation of the justification for, benefits of, and alternatives to the Project be based on a fully comprehensive description of how it might fit within the transition to a sustainable energy future	
188.	SES (October 12, 2022)		Are there documented examples of deep underground storage of uranium mine tailings? If so, please provide details of their history, including the nature, duration, and results of monitoring.	
189.	SES (October 12, 2022)		What is the expectation for the structural longevity of the concrete/tailings backfill material? (A quick search indicates that concrete generally remains stable for 50 to 100 years, depending on the chemical environment in which it is located.)	
190.	SES (October 12, 2022)		Have studies been done to determine the effect on mobility of the tailings components when the concrete breaks down?	
191.	SES (October 12, 2022)		Why is it not considered advisable to also line the sides of the UGTMF storage cells with cemented paste backfill (CPB)?	
192.	SES (October 12, 2022)		What potentially leachable contaminants are in the CPB itself, given that it contains the leach residue from the mill process?	
193.	SES (October 12, 2022)		If it were to be discovered, say 50 or 100 years after closure, that contaminants were found to be moving into groundwater faster than had been anticipated, what adaptive management options would be available at that point?	
194.	SES (October 12, 2022)		Have the feasibility, effectiveness, and costs of potential groundwater contamination adaptive management options been determined?	
195.	SES (October 12, 2022)		SES recommends that all GHG emissions associated with transport of people and materials to and from the site be included in the Project emissions estimate.	
196.	SES (October 12, 2022)		SES recommends that all greenhouse gas emissions associated with production of cement used in the project be included in calculation of project emissions.	
197.	SES (October 12, 2022)		SES recommends that emissions associated with the production of LNG used in the project as well as its transportation to the site be included in calculation of project GHG emissions.	
198.	SES (October 12, 2022)		Will the final EIS include a plan for use of carbon offset measures as a component of mitigating the Project's GHG emissions?	

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199.	SES (October 12, 2022)		SES recommends that the final version of the EIS take into account the recent, unexpectedly severe, global impacts of climate change as well as estimating the consequences for the project of extended drought and increased wildfire frequency and intensity	
200.	SES (October 12, 2022)		On what basis was the decision made to use the Health Canada guideline for Pb210 and Ra226 water quality thresholds rather than the more conservative WHO figure?	
201.	SES (October 12, 2022)		SES recommends that the final EIS include an alternative site water management design based on no degradation of water quality in Patterson Lake.	
202.	SES (October 12, 2022)		SES recommends that, in the final EIS, NexGen provides a Conventional Waste Management alternative plan that is based on a Zero Waste goal.	
203.	SES (October 12, 2022)		SES recommends that the final EIS include the alternative of having the power plant built and operated as a CHP facility.	
204.	SES (October 12, 2022)		Why was the identification of Valued Components done at the ecosystem level for vegetation, but at the species level for fauna, and limited to such a relatively small selection of terrestrial and aquatic VC species?	
205.	SES (October 12, 2022)		Given their ecological roles, and importance as indicators of ecosystem condition, why were no aquatic or terrestrial invertebrate species identified as VCs?	
206.	SES (October 12, 2022)		Given the importance of their ecological niches, and indicators of ecosystem condition, why were no raptors, fish-eating birds, mustelids, or small rodents selected as VCs?	
207.	SES (October 12, 2022)		SES recommends that the final EIS be required to recognize the Clearwater River Provincial Park and Canadian Heritage River as a Valued Component and include it in monitoring and impact mitigation planning.	
208.	SES (October 12, 2022)		SES suggests a fairer structure for the Environmental Committees would be two local residents, one company representative, and one independent, outside advisor to be selected by the other three. We recommend that such an alternative structure be considered.	
209.	SES (October 12, 2022)		Who will determine how long these Environmental Committees and Monitors will be maintained and funded?	
210.	SES (October 12, 2022)		Will the Committees have funding to conduct independent studies if they feel these are necessary?	

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211.	SES (October 12, 2022)		The Indigenous monitor is to be chosen by each Indigenous organization. Will the Indigenous organizations have the option of naming a non-Indigenous person as their monitor if they prefer?	
212.	Ya'thi Néné Lands and Resources (YNLR) (October 2022)	General	As noted as a critical issue, YNLR and our respective communities need to be fully acknowledged within the EIS. YNLR is interested in establishing a collaborative and mutually beneficial relationship with NexGen.	
213.	YNLR (October 2022)	General	<p>There are a total of 24 VCs plus a number of other 'intermediate components' in the EIS, yet the residual and cumulative effects analyses are 'significant' for only one VC, the woodland caribou. While YNLR understands the important role of mitigation in reducing predicted impacts, we find this overall outcome somewhat questionable. YNLR believes that this overly optimistic conclusion results from a number of sources, ranging from a poor selection of VCs to the largely subjective and qualitative nature of the impact assessment analyses, including the erroneous conclusions drawn for some VCs.</p> <p>For example, the residual and cumulative impacts of the year-round work camps have been largely ignored in the EIS, especially with respect to the additional harvest pressure on fish and wildlife resources, both locally and regionally. This is particularly the case for the lake fish surveys in the EIS, which indicated that their populations were already too low to sustain additional harvest pressure from project workers. YNLR believes that this potential cumulative impact cannot be overlooked, and suspects there may be others.</p>	
214.	YNLR (October 2022)	General	The situation for this important species (Woodland Caribou) in the region is already precarious and the Project will exacerbate this. The concluding sentence highlighted above is therefore overly optimistic and not in line with the actual effects assessment performed in the EIS, which concluded both residual and cumulative effects as 'significant' for woodland caribou. An Offset Plan for caribou has been proposed, which YNLR agrees with. However, YNLR would like to be involved with the development of this plan, and would like to see the plan largely finalized and agreed to before construction begins on the Project.	
215.	YNLR	General	While the physical footprint of the Project may be small, the nature and permanence of a uranium mine development does raise the risk level for	

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	(October 2022)		Indigenous people. YNLR therefore expects to be fully involved with the design, implementation, and reporting of all monitoring programs for the Project, and expects such programs to be statistically robust and transparent to our communities.	
216.	YNLR (October 2022)	Section 1 Section 2 Section 5	Our primary concern is the improper categorization of the YNLR as an “Other Indigenous Group” rather than a “Primary Indigenous Group”.	
217.	YNLR (October 2022)	Section 1.2.2 Section 2.4.1	The EIS states that: The NexGen Rook 1 Project is “located entirely on Provincial Crown Land within Treaty 8 territory and the Métis Homeland, and adjacent to Treaty 10 territory” (p 1-18). For reference, there are only three First Nations in Saskatchewan that are signatories to Treaty 8. Two of these are Athabasca Denesūliné (AD) communities: Black Lake Denesūliné First Nation, and Fond du Lac Denesūliné First Nation. Another of the communities represented by YNLR is Hatchet Lake Denesūliné First Nation who is a signatory to Treaty 10, like many of the other Indigenous communities discussed within the NexGen EIS.	
218.	YNLR (October 2022)	Section 1.2.2 Section 2.4	<p>The EIS states that: “There are currently no land use plans that encompass the Project location”. (p 1-19)</p> <p>This statement is questionable. The Athabasca communities approved a regional land use plan in 2008. The multiple use zone of this plan encompasses the NexGen Rook 1 project area. This information has been available to the public since 2008 prior to the beginning of NexGen’s Rook 1 project. This plan is referenced on the YNLR website (www.yathinene.ca) and was available on the sites of our predecessor organizations through the Prince Albert Grand Council. This information was contained within the report - Provision of Athabasca Denesūliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment - provided to NexGen in December 2020. Lastly, we include a copy of the plan here as Figure 1.</p>	
219.	YNLR (October 2022)	Section 1.2.2	Figures 1.2-1, 1.2-2, and 1.2-3 show the Athabasca Denesūliné reserves but do not name the First Nations or show community locations. Further, the maps do not show the Athabasca Denesūliné traditional territory. The maps should show this information. This information has been available to the public since 2008 - prior to the beginning of NexGen’s Rook 1 project. Our	

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			<p>traditional territory is referenced on the YNLR website (www.yathinene.ca) and was available on the sites of our predecessor organization’s through the Prince Albert Grand Council. This information was contained within the report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment - provided to NexGen in December 2020. Lastly, we include a map of the Athabasca Denesųliné traditional territory here as Figure 2.</p>	
220.	YNLR (October 2022)	Section 1 Section 2 Section 3	<p>Unfortunately, NexGen did not seek to involve Athabasca Denesųliné until May 2019.</p> <p>In 2020, the Report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – was prepared by the Athabasca Denesųliné with financial support from NexGen. This report provided an overview of the Athabasca Denesųliné (AD) including culture, history, Treaties, way of life and dependence on the barren-ground caribou herds and other wildlife, and Nuhenéné (AD traditional territory). Further, it provided a thematic analysis and mapping of cultural and land use activities including big game harvesting, small game and fur bearers harvesting, fish and bird harvesting, overnight sites and travel routes, traditional plants, special areas and Dene names. The later sections identify primary concerns of the Athabasca Denesųliné, and potential impacts related to the NexGen Rook 1 Project and industrial development in general.</p>	
221.	YNLR (October 2022)	Section 1.2.3	<p>The establishment of an LPA (local priority area) that followed on from the identification of the groups “that would most likely be affected by the proposed Project” during early engagement has two flaws. First, it ignores or disregards the information provided by the Athabasca Denesųliné in 2020 that clearly demonstrates their interests in the vicinity of Rook 1. Second, because the inclusion of communities in the LPA is based on whether or not they had been previously identified in early stages, means that AD’s exclusion is likely self- perpetuating, since the Athabasca Denesųliné were not involved in the early stages NexGen indicates commenced in 2013.</p>	
222.	YNLR (October 2022)	Section 1.2.3 Section 3	<p>The LPA (first shown on a map in Section 3, p 3-2) emphasizes the area to the south of the Project area along the highway, with much less emphasis to the north of the Project location. Road access is not a good surrogate for a</p>	

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			<p>community or its people to be ‘most likely affected’. The Athabasca Denesųliné generally access their traditional territory in the vicinity of the Rook 1 Project by means other than road. Figure 3 illustrates that traditional use that occurs in the Athabasca Denesųliné traditional territory near the Project regardless of roads. Figure 4 enlarges the area adjacent to ROOK 1 to better show ADKLUO. A version of this map was provided to NexGen in our December 2020, ADKLUO study report. Note that the Local Priority Area (LPA) is introduced in EIS Section 1 but first shown on a map in Section 3, Figure 3.1-1 Indigenous Land and Resource Use LSA and RSA shown here are introduced in Section 16 Figure 16.2-1).</p>	
223.	YNLR (October 2022)	Section 1.2.3	<p>The outline of the Métis Nation – Saskatchewan Northern Region 2 is found on each map throughout the EIS titled “Location of the Rook I Project”. The Athabasca Denesųliné Traditional territory overlaps the Métis Nation – Saskatchewan (MN-S) Northern Region 2 area by nearly 60% (Figure 5). The Athabasca Denesųliné Traditional territory (see previous Figure 1) should also have been included on all reference maps. Its exclusion means that the Athabasca Denesųliné Traditional territory is given no significance and is therefore not known or properly considered by those involved with the Project.</p>	
224.	YNLR (October 2022)	Section 1.2.3	<p>It appears that the Athabasca Denesųliné were not considered to be potentially interested or affected. This seems at odds with publicly available information and the project-specific materials provided to NexGen by the Athabasca Denesųliné since 2019.</p>	
225.	YNLR (October 2022)	Section 1.2.3 Section 2.4	<p>The Athabasca Denesųliné has a long-established traditional territory and Treaty rights in the project area. Further there is documented Athabasca Denesųliné knowledge, land use, and occupancy in the project area. It is reasonable to conclude that the Athabasca Denesųliné could be impacted.</p>	
226.	YNLR (October 2022)	Section 1.2.3 Section 2.4	<p>The Athabasca Denesųliné has a long-established and documented traditional territory overlapping the area of the regulated facility. Further, our Treaty 8 Communities are 180 km and 260 km from the proposed Project. Generally, the area is not accessed via road. Travel to this part of our traditional territory is cross-country.</p>	
227.	YNLR (October 2022)	Section 1.2.3 Section 2.4	<p>There is no on-going or settled litigation involving the Athabasca Denesųliné in the project area. We believe that this is a positive condition</p>	

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228.	YNLR (October 2022)	Section 1.2.3	<p>YNLR is a not-for-profit organization established by the Black Lake Denesųliné First Nation, Fond du Lac Denesųliné First Nation, and Hatchet Lake Denesųliné First Nation (collectively known as Athabasca Denesųliné) and the municipalities of Camsell Portage, Uranium City, Stony Rapids and Wollaston Lake. YNLR has the authority to represent the communities in this EIS regulatory process. The three First Nations are also members of the Prince Albert Grand Council.</p> <p>It is unknown what specific guidance was provided by provincial and federal regulatory agencies to NexGen with regards to identifying primary Indigenous Groups, but a comparison situation with the stated identification criteria clearly shows that we should be considered a primary Indigenous group. The key Athabasca Denesųliné considerations should have been well known by both NexGen and CNSC given materials provided and discussions undertaken.</p>	
229.	YNLR (October 2022)	Section 1.2.3	<p>Comparing the information in EIS Table 1.2-2 with the identification criteria, several gaps are immediately evident. The overlap of the Athabasca Denesųliné traditional territory with the project area is missing. The documented traditional use in the vicinity of the project is missing. The proximity of our communities to the project site are downplayed by using a road distance measure rather than the well documented cross- country routes our members generally use to access this portion of our territory. In fact, Fond du Lac is closer to the project site than a number of other groups considered primary.</p>	
230.	YNLR (October 2022)	Section 1.2.3 Section 2 Section 3 Section 5 Section 15 Section 16 Section 18 Section 19 Section 20 Section 24	<p>The Athabasca Denesųliné were not deemed by NexGen to be a primary Indigenous Group and were thus not afforded the opportunity to sign a fulsome Study Agreement that allowed for participation in a joint working group aimed at supporting the inclusion of Indigenous knowledge into the EA through ongoing dialogue, for the identification of valued components, for the discussion of other important issues (e.g., caribou, and traditional routes into the project study area, etc.), for the creation of a community liaison position and for the ultimate development of Benefits Agreement. The inclusion of Athabasca Denesųliné within these activities would have allowed for a much more complete exploration of Athabasca Denesųliné rights and interests and how they might be impacted by the Rook 1 Project and ensured that NexGen</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			was able to better understand and appreciate the uniqueness of the Athabasca Denesųliné. The exclusion of the Athabasca Denesųliné from the primary Indigenous group category ensured that they were afforded less attention than other Indigenous peoples. This is prejudicial and self- perpetuating.	
231.	YNLR (October 2022)	Section 1.2.3	We find it ironic that our traditional use of the project area as demonstrated in our ADKLUO study appears to be recognized by the Proponent, but this has not led to a greater and more appropriate consideration with the EA process.	
232.	YNLR (October 2022)	Section 1.3.2	The Athabasca Denesųliné remind all parties that the consideration of the impacts of the NexGen project on our rights and interests is incomplete.	
233.	YNLR (October 2022)	Section 1.3.2	YNLR identifies with this company philosophy and approach, which mirrors its own for the sustainable development of northern resources that provides long-lasting benefits for its aboriginal people. As such, YNLR expects to be closely engaged by NexGen as the Project unfolds	
234.	YNLR (October 2022)	Section 1.3.2	Following meaningful engagement with YNLR community members, YNLR places the protection and conservation of the natural environment as a very high priority. The local people will still be living in the area long after the uranium ore has been mined out. The quality of their lives, and the lives of their descendants should not be impacted by any social, economic, or environmental damage that could result from the Project	
235.	YNLR (October 2022)	Section 2.1	Given that engagement efforts are directed at local communities, the exclusion of the Athabasca Denesųliné is prejudicial and ensures that our rights and interests cannot be fully considered. It is the opinion of the Athabasca Denesųliné that we are a local community	
236.	YNLR (October 2022)	Section 2.1	Figures 2.1-1 shows the Athabasca Denesųliné reserves but does not name the First Nations or show community location. Further, the map does not show the Athabasca Denesųliné traditional territory. The maps should show this information. This information has been available to the public since 2008 - prior to the beginning of NexGen’s Rook 1 project. Our traditional territory is referenced on the YNLR website (www.yathinene.ca) and was available on the sites of our predecessor organisations through the Prince Albert Grand Council. This information was contained within the report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment -	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			provided to NexGen in December 2020. Lastly, we include a map of the Athabasca Denesųliné traditional territory herein as Figure 2.	
237.	YNLR (October 2022)	Section 2.2.2	<p>Initiatives noted in the EIS include (p 2-7, 2-8): Summer student program (starting 2016), scholarships for local students (since 2017 for students in LPA), School breakfast program (since 2017), Youth sports program (since 2017), Recreational program (since 2018), Other community initiatives (since 2018), Dog adoption program (since 2015).</p> <p>Athabasca Denesųliné were not included in such programs.</p>	
238.	YNLR (October 2022)	Section 2.3.2.1	<p>The EIS references Technical Support Document (TSD) I, Indigenous Engagement Report that was prepared and submitted with the EIS. This report provides information on Indigenous engagement activities completed up to 28 February 2022 (p 2-13)</p> <p>We don't believe that we have received this report</p>	
239.	YNLR (October 2022)	Section 2.4 Section 3.2.2 Section 5.1.3 Section 18.2.3 Section 19.2.3	<p>NexGen began engaging with communities as early as 2013. Unfortunately, discussions with the Athabasca Denesųliné did not begin until 2019.</p> <p>Based on the early engagement (e.g., pre-2019) primary communities deemed most likely affected by the proposed Project were identified. Then using these identified communities as a guide, a LPA (local priority area) was established. NexGen engagement activities were focused on primary communities in the LPA. This approach has at least three flaws. First, it ignores or disregards the information provided by the Athabasca Denesųliné in 2020 that clearly demonstrates their interests in the vicinity of Rook 1. Clearly processes need to respond to the information available. Second, because the inclusion of communities in the LPA (and indeed the geographic extent of the LPA) is based on whether or not they were previously identified means that AD's exclusion is likely self-perpetuating. The Athabasca Denesųliné were not involved in the early stages so they could not possibly have been considered nor could the LPA area include them. Third, the proximity of our communities to the project site is downplayed in the EIS by using a road distance measure rather than the well documented cross-country routes our members generally use to access the portion of our territory near</p>	

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			<p>the Project. In fact, Fond du Lac is closer to the project site than a number of other groups considered primary!</p>	
240.	YNLR (October 2022)	Section 2.5	<p>As the Athabasca Denesųliné were not included during early engagement activities, nor were we considered a primary Indigenous Group, nor are we included with in the resultant LPA, it would have been difficult for NexGen to develop an understanding of the Athabasca Denesųliné including our rights and interests and determine preferred engagement process and techniques as well as participate in a fulsome Study Agreement. Unfortunately, the Athabasca Denesųliné were not engaged until 2019, and then only at the low end of the consultative spectrum, but it appears that the overall EIS process had difficulties incorporating and adjusting to new information.</p> <p>Regrettably, the Athabasca Denesųliné were not included in these engagements. Assuredly, the Athabasca Denesųliné communities would have welcomed the opportunity to both learn more about the EA undertakings and to share their knowledge of the land, their traditional territory and their rights and interests.</p>	
241.	YNLR (October 2022)	Section 2.5.2	<p>There were multiple means and methods of communications during Project engagement including Face-to face meetings, Noticeboards, social media, websites, radio/television, newspapers, mail-outs, community events. (p 2-27, 2-28).</p> <p>Most of these methods were targeted at, and specific to communities in the LPA, and therefore the Athabasca Denesųliné were excluded.</p>	
242.	YNLR (October 2022)	Section 2.5.2	<p>Mistakenly, the Athabasca Denesųliné were categorized as “other” Indigenous Group rather than a “primary” Indigenous Group due to the engagement process followed and 26 were thus relegated to an “inform” designation along the spectrum of engagement. Following the provision of detailed information in our 2020 report and in discussions with NexGen and the CNSC, it was expected that our participation would evolve to reflect our situation, rights, and interests and be moved into the primary Indigenous Group category and to move further along the spectrum of engagement. Unfortunately, any increased consultation and engagement efforts and consideration were limited.</p>	

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243.	YNLR (October 2022)	Section 2.5.2.2 Section 3.3	The Athabasca Denesų́liné were engaged with using far fewer methods and with a much narrower focus than primary Indigenous groups. The greater involvement of Athabasca Denesų́liné within the engagement activities would have allowed for a much more complete exploration of Athabasca Denesų́liné knowledge, land uses, rights and interests and how they might be impacted by the Rook 1 Project and ensured that NexGen was able to better understand and appreciate the uniqueness of the Athabasca Denesų́liné. The exclusion of the Athabasca Denesų́liné from the primary Indigenous group category ensured that they were afforded less attention than other Indigenous peoples. This is prejudicial and self-perpetuating.	
244.	YNLR (October 2022)	Section 2.5.4	<p>LPA communities were engaged by: Project information packages, Newsletters, Emails, Letters, Telephone, in-person and virtual Meetings, Surveys and questionnaires, KP (key person) interviews, Community information sessions, Site tours, Project Liaison Manager. The purpose of these engagements was wideranging. (see Table 2.5-4) (p 2-36, 2-37)</p> <p>Regrettably, the Athabasca Denesų́liné communities were not engaged in this manner. It constituted a lost opportunity for joint learning and sharing between Athabasca Denesų́liné and NexGen.</p>	
245.	YNLR (October 2022)	Section 2.5.5	<p>With the exception of an Athabasca Denesų́liné IKTLU study, which was impacted by the COVID pandemic, the Athabasca Denesų́liné were not included in any of the other noted knowledge sharing processes.</p> <p>The greater involvement of Athabasca Denesų́liné within these engagement activities would have allowed for a much more complete exploration of Athabasca Denesų́liné knowledge, land uses, rights and interests and how they might be impacted by the Rook 1 Project and ensured that NexGen was able to better understand and appreciate the uniqueness of the Athabasca Denesų́liné. The exclusion of the Athabasca Denesų́liné from the majority of these opportunities ensures that they are afforded less attention than other Indigenous peoples. This is prejudicial and self-perpetuating</p>	
246.	YNLR (October 2022)	Section 2.6.1	This means there is an average of over 157 Key Engagement Activities per primary Indigenous Group. For comparison, YNLR had only 29 key engagement activities including 20 emails/letters of correspondence, and 9 meetings (in-person/video). The greater involvement of Athabasca	

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			<p>Denesų́łíné within these engagement activities would have allowed for a much more complete exploration of Athabasca Denesų́łíné knowledge, land uses, rights and interests and how they might be impacted by the Rook 1 Project and ensured that NexGen was able to better understand and appreciate the uniqueness of the Athabasca Denesų́łíné. The exclusion of the Athabasca Denesų́łíné from the majority of these opportunities ensured that they were afforded less attention than other Indigenous peoples. This is prejudicial and self-perpetuating.</p>	
247.	YNLR (October 2022)	Section 2.6.1.1.1 Section 2.6.1.1.2	<p>Unfortunately, the Athabasca Denesų́łíné were not included in the Joint Working Groups. Athabasca Denesų́łíné may have had some good information to share and would have appreciated the opportunity to learn from others</p>	
248.	YNLR (October 2022)	Section 2.6.1.2.1	<p>Athabasca Denesų́łíné notes that more meetings and engagement result in more detail. While fewer meetings and engagement result in less detail.</p>	
249.	YNLR (October 2022)	Section 2.6.1.2.2	<p>We are pleased that there is some reference to the Athabasca Denesų́łíné, but we believe the summary is incomplete. The 2020 Report - Provision of Athabasca Denesų́łíné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – provided an overview of Athabasca Denesų́łíné (AD) culture, history, Treaties, way of life, and Nuhenéné (AD traditional territory).Further, it provided information on traditional (including contemporary) land use and knowledge, provided thematic maps of cultural and land use activities including big game harvesting, small game and fur bearers harvesting, fish and bird harvesting, overnight sites and travel routes, traditional plants, special areas, and Dene names. The report also identified primary concerns of the Athabasca Denesų́łíné, and potential impacts related to the NexGen Rook 1 Project and industrial development in general that include:</p> <ol style="list-style-type: none"> 1.wildlife harvest and habitat 2.water resources, 3.the continued ability to exercise Treaty and Aboriginal Rights and the protection of Athabasca Denesų́łíné rights. <p>Any reference to economic activities in the ADKLUO report was indirect, though important. To be clear, there was no reference to the wider Athabasca</p>	

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			<p>Basin. Further Athabasca Denesų́liné Treaty and Aboriginal Rights and their protection seemed to be excluded from the NexGen summary.</p> <p>These issues and concerns along with others were raised during meetings between AD and NexGen and/or the CNSC.</p> <p>Again, we note that more meetings and engagement mean more detail. While fewer meetings and engagement mean less detail. Clearly more engagement with primary Indigenous groups lead to a greater elaboration and understanding of their issues. Less engagement with the YNLR lead to less elaboration and less understanding and appreciation of Athabasca Denesų́liné issues.</p>	
250.	YNLR (October 2022)	Section 2.6.1.3	The Athabasca Denesų́liné were not included in the validation process and therefore did not have the same opportunity to further discuss their issues and interests	
251.	YNLR (October 2022)	Section 2.6.3.1.1	The Athabasca Denesų́liné were not included in the community information activities and sessions	
252.	YNLR (October 2022)	Section 2.6.3.1.2	The Athabasca Denesų́liné were not included in the KP Research Program.	
253.	YNLR (October 2022)	Section 2.6.3.1.3	The Athabasca Denesų́liné were not included in the Youth or other Workshops	
254.	YNLR (October 2022)	Section 2.7.1	In section 2.7.1 There is no mention of “other Indigenous Groups”, Athabasca Denesų́liné, or YNLR in this section. There should be.	
255.	YNLR (October 2022)	Section 3.1	The Athabasca Denesų́liné are pleased with NexGen’s commitments but have concerns about NexGen’s approach to identifying primary and other Indigenous groups and the local priority area (LPA). The lesser level of involvement afforded to us due to our characterisation as a non-primary Indigenous Group, the modest consideration of our traditional territory, way-of-life, knowledge, land and resource use, and Treaty and Aboriginal rights is problematic. We have elaborated on these concerns in previous sections and will continue to elaborate on them within this section.	
256.	YNLR (October 2022)	Section 3.1	Figure 3.1-1 shows the reserves but does not name the First Nations or show community locations. Further, the maps do not show the Athabasca Denesų́liné traditional territory. The maps should show this information. This	

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			<p>information has been available to the public since 2008 - prior to the beginning of NexGen's Rook 1 project. Our traditional territory is referenced on the YNLR website (www.yathinene.ca) and was available on the sites of our predecessor organisations through the Prince Albert Grand Council. This information was contained within the report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment - provided to NexGen in December 2020. Lastly, we include a map of the Athabasca Denesųliné traditional territory here as Figure 2.</p>	
257.	YNLR (October 2022)	Section 3.1.1	<p>The Athabasca Denesųliné agree that Indigenous Knowledge is incredibly important and a cornerstone of modern EA. That is why we lobbied for greater involvement, prepared our report "Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment", participated in every meeting to which we were invited, and are commenting on the EIS.</p> <p>NexGen began engaging with communities as early as 2013. Unfortunately, discussions with the Athabasca Denesųliné did not begin until 2019.</p> <p>Our ADKLUO report provided an overview of the Athabasca Denesųliné (AD) including culture, history, Treaties, and way of life and their dependence on the barren-ground caribou herds and other wildlife, Nuhenéné (AD traditional territory). It further provided a thematic analysis and mapping of cultural and land use activities including big game harvesting, small game and fur bearers harvesting, fish and bird harvesting, overnight sites and travel routes, traditional plants, special areas and Dene names. The later sections identified our primary concerns and potential impacts related to the NexGen Rook 1 Project and industrial development in general.</p>	
258.	YNLR (October 2022)	Section 3.8	<p>The AD would caution that EAs need to be able to respectfully and meaningfully, incorporate Indigenous knowledge (e.g., ways of knowing) and that this is not something easily achieved. Effective incorporation needs to go beyond checks, balances, comparisons, and verifications to move towards a shared understanding. When discussing the balancing or melding of traditional knowledge with northern Canadian resource management boards, White (2020)¹ discusses that traditional knowledge is really about a way of</p>	

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			<p>life or ways of knowing. While resource management focuses much on the natural environment and human interactions elements of traditional knowledge, they find it difficult to deal with social, philosophical, and spiritual aspects. Key challenges include Language (and the lack of concepts and terms); inadequacy of communications methods; formal, written, and impersonal procedures; and confidentiality concerns. Perhaps the NexGen EA approach was less effective with regards to incorporation and influence of YNLR information since Athabasca Denesųliné traditional territory and Traditional knowledge seem not to have been incorporated in a fulsome way. AD had limited or non-existent contributions to such issues as “selection of VCs, existing conditions, Project interactions and mitigation measures, residual effects analysis, monitoring programs” (p 3-27), or “VCs and intermediate components; component methods; existing conditions; scoping and pathways analysis; mitigation measures; and monitoring, follow-up, and adaptive management” (3.8 Influence on the Environmental Assessment p 3-34). Further, Athabasca Denesųliné knowledge was not sought -during the EA process (Joint Working Groups, ongoing engagement, scoping, environmental assessment Figure 3.1-6 p 3-28)</p>	
259.	YNLR (October 2022)	Section 3.8	<p>Unfortunately, the delineation of the spatial boundary for the LSA does not appear to include inputs and information from the Athabasca Denesųliné.</p>	
260.	YNLR (October 2022)	Section 4	<p>As previously stated, YNLR supports the efforts to reduce the release of GHGs in Saskatchewan and Canada. However, the benefits to indigenous people from such a strategy must also be maximized, notwithstanding their desire to also protect the northern environment that they are dependent on</p>	
261.	YNLR (October 2022)	Section 4	<p>YNLR supports the use of environmental sustainability as a key theme in the Project alternatives assessment. YNLR also notes the use of the terms ‘ecological integrity’ and ‘ecological health’ throughout the EIS. However, neither term seems to be defined in the EIS, and seem to be used interchangeably. What does NexGen mean by ecological integrity and ecological health?</p>	
262.	YNLR (October 2022)	Section 4	<p>YNLR has concerns with the resulting increase in traffic between La Loche and the Project. Aside from human safety considerations, there will be additional direct and indirect impacts on wildlife.</p>	

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263.	YNLR (October 2022)	Section 4	This decision for a permanent on-site worker camp seems to be at odds with statements regarding the transportation of workers to the Project (Page 1-32, EIS)	
264.	YNLR (October 2022)	Section 5	YNLR recognizes NexGen’s efforts at minimizing the Project’s footprint. However, given the 43-year Project window and the additional decades for full vegetation recovery, YNLR feels that any wildlife habitat destroyed should be offset in the same manner as destroyed fish habitat is under federal law. YNLR generally supports the alternatives assessment selection for each of the above facilities as outlined in Section 4 of the EIS. If there are temporary and permanent camps, YNLR expects that the increased pressure on fish and wildlife harvest in the area will be assessed and mitigated for in some fashion.	
265.	YNLR (October 2022)	Section 5	YNLR believes that if NexGen is adopting the precautionary principle as stated in earlier sections of the EIS, it cannot minimize the potential of other mining developments in the area in a cumulative effects analysis. This is especially true given the substantial length of time the Rook Project will be operating over, including the decommissioning and reclamation phases, and the fact that uranium will be in increasing demand.	
266.	YNLR (October 2022)	Section 5	YNLR expects to be involved throughout the lifetime of this project. Perhaps NexGen would be interested in co-signing a ‘development agreement’ of some sort with YNLR in order to facilitate this collaboration	
267.	YNLR (October 2022)	Section 5	NexGen’s development philosophy largely meshes with that of YNLR. However, YNLR expects the interaction between the company and indigenous people to be ongoing throughout the lifetime of the project	
268.	YNLR (October 2022)	Section 5	NexGen’s environmental protection philosophy largely meshes with that of YNLR. However, YNLR expects the interaction between the company and indigenous people to be ongoing throughout the life of the project. Indigenous people are not stakeholders; they are rights- holders.	
269.	YNLR (October 2022)	Section 5	YNLR believes that effective follow up and monitoring is one of the key measures of sustainability, whether social, economic, or environmental. As such, YNLR expects to be involved in the design and implementation of monitoring programs over the life of the Project.	
270.	YNLR (October 2022)	Section 5	Other than the direct and indirect surface disturbance generated by the Project, YNLR is highly concerned with the potential for contamination of	

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			soils and water from these components, especially in Patterson Lake. This concern also holds for the various Project activities including construction, commissioning, operation, decommissioning, and reclamation of the Project	
271.	YNLR (October 2022)	Section 5	The predicted traffic tables referred to are somewhat confusing to understand and don't reference any baseline conditions, hence it is difficult to assess the impact of increased vehicular traffic created by the Project	
272.	YNLR (October 2022)	Section 5	YNLR is hopeful that this Project will generate the promised significant employment, training, business, and contracting opportunities for local and indigenous people. However, ongoing dialogue is needed.	
273.	YNLR (October 2022)	Section 5	YNLR supports NexGen's design efforts to minimize the environmental impacts of the Project to date. However, ongoing dialogue will be needed.	
274.	YNLR (October 2022)	Section 5	YNLR supports the application of adaptive management throughout the Project's lifespan, but expects such changes to be open, transparent, and collaborative in nature.	
275.	YNLR (October 2022)	Section 6	YNLR understands and supports the use of the Precautionary Principle. However, at what point is it usual to say we have too little, or too much information? Isn't that being somewhat subjective?	
276.	YNLR (October 2022)	Section 6	YNLR is very concerned about the long-term ramifications of cumulative effects, especially when northern Saskatchewan is facing a time of greatly accelerating development. One species, woodland caribou, already seems to have fallen victim to such effects	
277.	YNLR (October 2022)	Section 6	The correct selection of VCs is critical to the successful outcome of an EA. Poorly thought out VC selection can lead to erroneous conclusions from the modeling, resulting in potential harm to people and the environment. YNLR is pleased that the YNLR study and other indigenous knowledge and values were included in the analysis. However, YNLR questions the statement regarding avoidance of VC redundancy – strictly speaking, a species can only indicate itself because every species has its own ecological niche. For example, two songbird species can inhabit the same habitat and serve as indicators for that habitat, but other aspects of their ecological niches (e.g. diet, behaviour) can be entirely different. Arbitrarily dropping one from an impact analysis could therefore lead to erroneous results.	
278.	YNLR (October 2022)	Section 6	This definition of sustainability (Page 6-10 of the EIS) meshes with that of YNLR. However, while YNLR understands that measurement indicators need	

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			to be more quantitative than endpoints, it is not clear at this stage (Table 6.3-1 notwithstanding) which measurement indicators could be readily used to calibrate an endpoint like ‘cultural integrity’ or ‘indigenous resource use’ in the same way as they are used to calibrate ecological integrity.	
279.	YNLR (October 2022)	Section 6	<p>Notwithstanding the rationale behind VC selection provided in earlier sections, YNLR questions some of the resulting selections in Table 6.3-1. Why are some species and habitats selected but not others? For example, upland and riparian ecosystems are identified but only from amount, distribution, and integrity perspectives. Shouldn’t post fire age of upland ecosystems be considered here, especially from the perspective of woodland caribou or other species dependent on older forest seral stages? The same applies to the mammal species selected as VCs. Why only one species of furbearer? Why was the wolverine omitted? Canada Lynx etc? For birds, why are species like olive-sided flycatcher and rusty blackbird selected, but not a variety of other forest songbirds that are considered at risk, such as the bank swallow, barn swallow, and Canada warbler. No aerial feeders are included, such as common nighthawk, also a species at risk. Two species of ducks are selected as VCs, but not the horned grebe, again an at risk species. What about the validity of the leopard frog as a VC?</p> <p>On the human side, YNLR questions how the VC of Indigenous Land and Resource Use is effectively measured from the following somewhat vague and subjective measurement indicators (Table 6.3-1):</p> <ul style="list-style-type: none"> • Changes to access to and area available for Indigenous land and resource use • Changes to the availability and quality of fish, plants, and wildlife for harvesting • Changes to the quality of the Indigenous land use <p>The same is true for the VCs such as ‘Other Land and Resource Use’ and ‘Community Well- Being. Their measurement indicators are again somewhat vague and subjective.</p>	
280.	YNLR (October 2022)	Section 6	The maintenance of air and water quality over the long term is a very high priority for YNLR, which expects monitoring programs to be properly	

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			designed and implemented with YNLR participation in order to detect significant deviations from baseline conditions.	
281.	YNLR (October 2022)	Section 6	YNLR supports the conservation of all living things as represented by the concept of biodiversity, and supports the application of both fine (species) and coarse (ecosystem) filter management approaches in achieving this. However, YNLR recognizes that the few biological VCs selected for this EIS represent a very small fraction of the many thousands of species that exist in the boreal forest. It is misleading to suggest that a handful of species can represent the many other thousands of species in the boreal forest and its ecological health/integrity. In addition, the likelihood of the EIS effects modeling committing Type 2 statistical errors cannot be dismissed, which is why rigorous follow up and statistically valid monitoring are so critical.	
282.	YNLR (October 2022)	Section 6	YNLR believes a figure for illustration purposes would have been useful here (Page 6-18 of EIS), although the text suggests that more than one LSA and RSA were used for the assessments. Certainly, the RSA(s) for woodland caribou and larger carnivores need to be large enough to reflect the home ranges of the species under consideration. YNLR is very concerned with cumulative effects, and will carefully consider what the EIS decides on what is a 'reasonably' foreseeable development and what is not. For example, the area is covered with mineral claims	
283.	YNLR (October 2022)	Section 6	As with spatial boundaries, there appears to be more than one temporal boundary. The presence of the far-future scenario really underscores the need for the Project to be carefully designed and implemented, and for thorough follow up and monitoring. It also reinforces the need for open and transparent involvement with the local and indigenous people.	
284.	YNLR (October 2022)	Section 6	YNLR believes these criteria (Page 6-20 of the EIS) are very restrictive and/or subjective in nature and will preclude many RFDs that might otherwise increase cumulative effects in conjunction with the NexGen Project. Why so narrow an approach? Why not instead model various levels of RFD to generate future potential scenarios of cumulative effects? Furthermore, it appears that a lower number of VCs leads to a lower likelihood of a CEA being triggered, which shouldn't be the case. The two variables should be independent of one another	

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285.	YNLR (October 2022)	Section 6	YNLR has echoed these indigenous concerns (page 6-21 of EIS) to both Fission and NexGen so is pleased a CEA was triggered in this case. YNLR will pressure Fission to do the same. However, we note that an overlap of 15 years is a minimum and it should be treated as such. In the case of woodland caribou, it is been established for some time now that their populations decline due to the cumulative effects of both human and natural disturbance, so this analysis should be taken seriously.	
286.	YNLR (October 2022)	Section 6	YNLR understands the concept of pathways analysis and the resulting mitigation measures, including offsetting. Earlier in this review, YNLR argued that wildlife habitats functionally lost for several decades should be offset in the same way that fish habitats are under federal law. The above statement referring to temporal losses to the environment would appear to support this	
287.	YNLR (October 2022)	Section 6	YNLR questions why uncertainty and time lag would always preclude offsets. In fact, the longer that habitats are non-functional, the stronger the case for offsetting them. For some reason, fish habitat offsets under federal law are not mentioned in this part of the EIS, which is unfortunate.	
288.	YNLR (October 2022)	Section 6	Given the significant nature of the Project and its impact assessment, YNLR is strongly supportive of well-designed, transparent, and statistically valid monitoring programs and expects YNLR community member involvement with their inception and implementation.	
289.	YNLR (October 2022)	Section 7	YNLR is concerned with how the Project is going to affect both air quality (including dust) and noise, not only from the standpoint of people, but also from the standpoint of wildlife and the general environment. Are roads and the increased associated traffic considered to influence air quality and noise in the EIS?	
290.	YNLR (October 2022)	Section 7	These airshed study areas seem to be reasonable and cover very important aquatic ecosystems. YNLR understands that air quality effects are scale dependent, but doesn't completely follow the logic behind the statement referencing '10% of the air quality criteria'.	
291.	YNLR (October 2022)	Section 7	Airborne dust from local roads will apparently be mitigated, but what about the increased dust from the elevated traffic levels on Highway 955 between La Loche and the Project?	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
292.	YNLR (October 2022)	Section 7	YNLR understands that air quality standards will be somewhat exceeded in the local area of the Project and supports ongoing monitoring. However, shouldn't consideration be given for offsets given the length of time of these impacts? What will be the effect on the water quality of Patterson Lake?	
293.	YNLR (October 2022)	Section 7	What about the increased noise levels coming from the elevated traffic levels locally and on Highway 955?	
294.	YNLR (October 2022)	Section 8	YNLR is very concerned about the potential for groundwater and surface water contamination from the Project.	
295.	YNLR (October 2022)	Section 8	Watershed boundaries are a logical way of delineating the extents of the LSA and RSA for groundwater and hydrology assessments.	
296.	YNLR (October 2022)	Section 8	It is not clear to YNLR why the pathways from both projects lack the potential to overlap? Can groundwater contamination from the Fission LSA reach the NexGen LSA and vice versa?	
297.	YNLR (October 2022)	Section 8	YNLR understands that the impact of the Project on groundwater quantity (distribution) seems to be significant over time and space. The discharge of potentially contaminated water into Patterson Lake from the mine, TMF, and rock storage area is of high concern.	
298.	YNLR (October 2022)	Section 8	<p>The EIS states: "Based on modeling of groundwater quality, the magnitude of the effects was variable and specific to the solute being modeled. Solute-specific effects ranged from negligible effects beyond background values to multiple orders of magnitude above background values. Spatially, these effects were considered to be limited to the groundwater discharge within Patterson Lake. The temporal scale of these effects was long-term, spanning a period from the late stages of Operations to long-term following Closure (i.e., permanent). Changes to groundwater quality that affect surface water quality in the receiving environment were subsequently considered in the surface water and sediment quality assessment (Section 10) (Page iv, Section 8, EIS)."</p> <p>This result is somewhat alarming and raises questions about the long-term ecological health of Patterson Lake, and its connected waters.</p>	
299.	YNLR (October 2022)	Section 8	The EIS States: "Follow-up and monitoring programs would be implemented to monitor for changes in groundwater quantity and quality, including	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>continued monitoring of background wells located upgradient of the Project footprint (Page iv, Section 8, EIS).”</p> <p>YNLR strongly supports this as a result of the groundwater modeling. However, YNLR wonders if a risk assessment and contingency plans should be developed should monitoring eventually reveal larger than expected impacts on the environment.</p>	
300.	YNLR (October 2022)	Section 9	YNLR is very concerned about the potential for streams, rivers, wetlands, and lakes to become contaminated by the Project.	
301.	YNLR (October 2022)	Section 9	<p>The predicted impacts to surface water hydrology appear to be negligible which is reassuring. However, the potential long-term impact of the groundwater disruption (Section 8) on surface waters still requires clarification. Surface water quality is also a question at present (Section 10)</p> <p>The maintenance of surface water quality is a very high priority for YNLR</p>	
302.	YNLR (October 2022)	Section 10	It seems that the potential cumulative effects of the Fission TMF has been dismissed because it is aboveground. However, doesn't it still have the potential to contaminate surface waters irrespective of where it's positioned?	
303.	YNLR (October 2022)	Section 10	YNLR is very concerned with the far-future, cumulative contamination prediction for Patterson Lake.	
304.	YNLR (October 2022)	Section 10	<p>In section 10 of the EIS: “To minimize the potential for effects to the receiving environment (e.g., aquatic habitat), source control measures would be implemented for the PAG WRSA. This mitigation would be expected to result in reductions in the mass loading of cobalt and copper, and other COPCs, to Patterson Lake.”</p> <p>This statement does not assuage YNLR’s concerns. In addition, the long-term contamination from the NexGen and Fission TMFs seems to be unresolved.</p>	
305.	YNLR (October 2022)	Section 10 Section 23	The EIS states: “The Environmental Protection Program, Environmental Monitoring Plan, Effluent Monitoring Plan, and associated environmental monitoring would be implemented to verify effects predictions and effectiveness of mitigation on protection of the aquatic environment, identify unanticipated effects, and apply adaptive management” (Page iv, Section 10, EIS).	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>YNLR believes this is absolutely critical given the contaminant predictions and expects to be consulted as a result. YNLR also expects the monitoring programs to be open, transparent, and statistically robust.</p>	
306.	YNLR (October 2022)	Section 11	<p>Assessment of the VC's selected (whitefish, lake trout, northern pike and walleye) included biological effects in a number of categories (hydrology, surface water quality, etc.). However, the EIS does not take into account changes in harvest pressure on these species due to increased human activity and access as a result of the Project</p>	
307.	YNLR (October 2022)	Section 11	<p>Effects on biodiversity were based on the completed fish VC assessment and were therefore determined to be negligible. The selected VC's while appropriate for fish use and sustainability may not be at all useful as indicators for overall biodiversity in the affected water bodies.</p>	
308.	YNLR (October 2022)	Section 11	<p>Again, the determination and assumptions leading to the fish species and habitat effects assessment are identified as "not significant". A broader range of factors (such as increased harvest levels) in fish management should be taken into account in developing this conclusion</p>	
309.	YNLR (October 2022)	Section 11	<p>Each discussion with community representatives demonstrated the historical, cultural and importance of fish as food. Note that the YNLR identified suckers as being important to community members. Despite this, these species (longnose and white suckers) were not identified as VCs</p>	
310.	YNLR (October 2022)	Section 11	<p>The EIS suggests that "adaptive management measures may also be proposed to address uncertainties...". The implementation of long-term monitoring being very important and being requested by indigenous groups should also include an adaptive management process.</p>	
311.	YNLR (October 2022)	Section 11	<p>Patterson Lake was identified as being intensively used by community members for fish harvesting. This lake will continue to receive increasing fish harvest pressure with the increased number of individuals associated with the mining activity near the lake coupled with easy road access.</p>	
312.	YNLR (October 2022)	Section 11	<p>Morphology and catch data for walleye based on fishing efforts in the LSA and RSA are presented in Table 11.3-5. A total of 336 walleye were captured during baseline sampling in the LSA or RSA. However, a large majority of the walleye documented were captured in the Clearwater River above Patterson Lake (n = 298; Table 11.3-5). Of the 336 walleye captured, 109</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>were captured in Patterson Lake. In Patterson Lake, walleye ranged in size from 26.6 cm to 66.5 cm for length and 140 g to 2,720 g for weight (Table 11.3-5) (Page 11-69, EIS).</p> <p>There appears to be a discrepancy between Table 11.3-5 (Page 11-70, EIS) which identified Patterson Lake Walleye at N = 10 and identification within the above text of Patterson Lake walleye n=109?</p>	
313.	YNLR (October 2022)	Section 11	Table 11.4 -1 describes in some detail “Environmental Design Features and Mitigation” but it does not mention participation in management and harvest (recreational and commercial), which should be addressed at the onset of the predicted increased human activity in the Patterson Lake area. This will be one of the most important management tools that can be implemented to sustain the local fish populations	
314.	YNLR (October 2022)	Section 11	While the EIS surmises that on site blasting is being carried out at a safe distance from Patterson Lake and therefore “there are no predicted residual effects on the VC’s”, monitoring should be carried out to confirm that this is indeed accurate considering that there were local concerns identified by YNLR (Page 11-79, EIS).	
315.	YNLR (October 2022)	Section 11	The EIS states that “An increase in TP (total phosphorus) may result in minor changes to primary productivity with virtually no effects on upper-level consumers” (i.e. piscivorous). Adding additional oligotrophic species such as suckers to monitoring programs would therefore be prudent.	
316.	YNLR (October 2022)	Section 11	“...fish habitat lost or altered because of the development would be offset with habitat created, restored or enhanced.” Restoring habitat is technically not an offset although it is important as part of the mitigation.	
317.	YNLR (October 2022)	Section 11	NexGen “exploring the possibility of implementing a policy that would prohibit or restrict fishing” while laudable, would have a minimal effect on fish harvest. For example, the company cannot remove indigenous rights to fish. The EIS recognizes that changes to public access and the increased density of people may affect the viability of fish populations. It is therefore important for the company, indigenous representatives, and the Provincial Government to review and alter season and catch limits in the area at the onset of the project	

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318.	YNLR (October 2022)	Section 11	The EIS recognizes that copper concentrations will exceed minimum acceptable levels during the life of the project; however, analysis indicated that there would be minimal effects on aquatic populations and communities. The only mitigation measure to affect this outcome would be to limit the copper concentration levels, if this is possible	
319.	YNLR (October 2022)	Section 11	Overall predicted effects on aquatic biodiversity considered as negligible neglects the cumulative effects of other mine sites such as Fission Uranium even though this factor has been identified in the EIS	
320.	YNLR (October 2022)	Section 11	Analysis of the residual effects on fish, particularly the VC's is concluded to be "not distinguishable from natural background variability" without any in-depth analysis of increased and persistent fish harvest due to the major changes in public access	
321.	YNLR (October 2022)	Section 12	YNLR understood that the waste rock would be put back underground as part of reclamation, so how can the impact on the waste rock storage areas be irreversible?	
322.	YNLR (October 2022)	Section 13	YNLR believes that the use of only three vegetation ecosystem VCs is too coarse an approach that may miss many important finer elements. For example, woodland caribou are dependent on older seral stages of coniferous forest for lichens as food. Were the three ecosystems subdivided any further to enable more refined impact assessments? Isn't it possible to miss potential impacts by not doing so?	
323.	YNLR (October 2022)	Section 13	YNLR is very concerned about the introduction of invasive plant species into the forest ecosystems by the increased level of human disturbance.	
324.	YNLR (October 2022)	Section 13	<p>The EIS States: "Upland ecosystems would be expected to experience the following residual effects Page iii, Section 13, EIS):</p> <ul style="list-style-type: none"> • The Project is predicted to contribute to a loss in availability of approximately 868 ha of upland ecosystems, which represents 1.2% of upland ecosystems in the RSA (i.e., low magnitude) 82 • The Fission Patterson Lake South Property activities are predicted to contribute an incremental loss of 1,450 ha of upland ecosystems availability in the RSA • In combination, the Project, Fission Patterson Lake South Property, and existing anthropogenic disturbance (e.g., Highway 955, seismic 	

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			<p>lines) would account for 2,390 ha (3.1%) of disturbance across upland ecosystem types in the RSA (i.e., low magnitude) Despite the loss of upland ecosystems that would occur as a result of the Project and the Fission Patterson Lake South Property, the distribution of most upland ecosystems would remain abundant and well connected across the RSA.”</p> <p>If these upland ecosystems are either lost permanently or for several decades, YNLR believes that there should be some sort of no net loss offset applied, as it is for fish habitat under federal law (see before and below).</p>	
325.	YNLR (October 2022)	Section 13	<p>The EIS States: “Wetland ecosystems would be expected to experience the following residual effects Page iv, Section 13, EIS):</p> <ul style="list-style-type: none"> • The Project is predicted to contribute to a loss in availability of approximately 28 ha of wetland ecosystems (i.e., less than 0.1% of the RSA), which would be limited to the Project’s maximum disturbance area (i.e., low magnitude) • Cumulatively, the Project and the Fission Patterson Lake South Property are predicted to contribute to a loss in availability of approximately 56 ha (i.e., 0.1% of the RSA) of wetland ecosystems (i.e., low magnitude) <p>Following Decommissioning and Reclamation (i.e., Closure), it is anticipated that wetland ecosystems would be reclaimed to the extent possible in an attempt to achieve no net loss of wetland functions, consistent with the guideline of the Federal Policy on Wetland Conservation (Government of Canada 1991). Although the establishment of functioning wetland ecosystems following the Active Closure Stage was considered possible, restoration of wetland species composition and ecological function similar to the wetland ecosystems observed under existing conditions would be unlikely. As such, the loss of all wetland ecosystems was conservatively assumed to be permanent.”</p> <p>This statement is somewhat confusing. Will lost wetlands be restored or not? If the wetland loss is permanent or long lasting, YNLR believes that a no net loss offset should be applied</p>	

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326.	YNLR (October 2022)	Section 13	What is the distance of the riparian set back? How was it arrived at? Again if riparian loss is permanent or long lasting, YNLR believes that a no net loss offset should be applied	
327.	YNLR (October 2022)	Section 13	Again, YNLR believes that permanent losses in traditional plant use habitats should be offset in some manner.	
328.	YNLR (October 2022)	Section 13	<p>The Environmental Protection Program, Environmental Monitoring Plan, and associated environmental monitoring would be implemented to verify effects predictions and effectiveness of mitigation on vegetation, identify unanticipated effects (i.e., manage the residual uncertainty in the effects prediction), and apply adaptive management, if required. A noxious and nuisance weeds follow-up study would be carried out for weed management to monitor the establishment of designated weed species within the disturbance area and apply appropriate mitigation to avoid the unintended spread of such species.</p> <p>YNLR believes that such monitoring is critical in order to maintain the ecological health of the forest.</p>	
329.	YNLR (October 2022)	Section 14	<p>YNLR has concerns about the breadth and composition of these wildlife VCs, which are essentially indicators of ecological health with respect to the impacts of the Project. Eleven species represent a very tiny proportion of the total number of wildlife species present in the boreal forest, especially if one considers invertebrates to be also ‘wildlife’. Can only 11 wildlife species represent this vast and complex ecosystem even at the scale of the Project? For example, 6 of the VCs are mammals out of more than 85 species of boreal forest mammal, and only 4 are birds out of more than 300 boreal forest bird species.</p> <p>Notwithstanding how they were chosen (Appendix 14A), YNLR also questions their individual selection with the omission of many others. For example, only two species of furbearer are selected, despite the importance of trapping to northern indigenous people. Species like Canada lynx, wolverine, fisher, mink and marten are omitted. Why? Only two species of songbird and two waterfowl species are selected. Why? No aerial feeders are included such</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			as common nighthawk, barn swallow and bank swallow. Why? Is NexGen confident that a sufficient number and variety of VCs have been selected?	
330.	YNLR (October 2022)	Section 14	YNLR supports the selection of woodland caribou as a VC, and believes it deserves special consideration for this assessment.	
331.	YNLR (October 2022)	Section 14	Wolf density was mentioned as a potential mitigating factor for moose below. YNLR wonders why there is no mention of wolf density in the baseline woodland caribou description. Human hunting pressure may increase on this species once the Project is underway, due to the presence of camps	
332.	YNLR (October 2022)	Section 14	YNLR supports the selection of moose as a VC and is concerned about the impact that the increased levels of traffic and human disturbance will have on it. Hunting pressure may increase on this species once the Project is underway due to the presence of camps.	
333.	YNLR (October 2022)	Section 14	As an important predator of caribou and moose, YNLR supports [grey wolf's] selection as a VC. Hunting and trapping pressure may increase on this species once the Project is underway due to the presence of camps.	
334.	YNLR (October 2022)	Section 14	YNLR is concerned with an increase in human-bear conflict once the Project is underway. Their attraction to refuse dumps needs to be carefully managed. Hunting pressure may increase on this species once the Project is underway due to the presence of camps.	
335.	YNLR (October 2022)	Section 14	YNLR supports the selection of the beaver as a VC owing to its status as a furbearer and riparian dweller. Trapping pressure on the species is likely to increase once the Project is underway due to the presence of camps	
336.	YNLR (October 2022)	Section 14	Given the fact that white nose disease is likely to have a much greater impact than the Project itself, YNLR questions the selection of the Little Brown Myotis as a VC	
337.	YNLR (October 2022)	Section 14	YNLR is unclear why the olive-sided flycatcher was selected as a VC for the Project assessment	
338.	YNLR (October 2022)	Section 14	Given the apparent lack of suitable habitat and the low number of birds detected, YNLR questions the selection of the Rusty Blackbird as a VC	
339.	YNLR (October 2022)	Section 14	The Common Goldeneye is a good indicator of intact riparian habitat and so useful as a VC in the assessment. Hunting pressure on this species will likely increase due to the presence of camps	
340.	YNLR (October 2022)	Section 14	Hunting pressure on the Mallard will likely increase due to the presence of camps	

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341.	YNLR (October 2022)	Section 14	YNLR agrees the Canadian Toad is a potentially useful indicator and VC. However, were leopard frogs or other amphibians included in the surveys, and thus potentially serve as VCs?	
342.	YNLR (October 2022)	Section 14	The sensory disturbance comes not only from the Project activities, but also from the elevated numbers of people living at the camp. Camp workers will likely be fishing and/or 90 hunting thereby increasing the level of harvest pressure on local and regional wildlife. ATV and snowmobile use may well increase too.	
343.	YNLR (October 2022)	Section 14	YNLR believes that the NexGen and the Fission projects will make a bad situation worse for woodland caribou over the long term. The only mitigating factor might be long-term regional forest recovery in the absence of forest fires, but climate predictions suggest otherwise (Page ix). Given the significance of this assessment, YNLR would like to see a woodland caribou offset plan negotiated before the Project begins.	
344.	YNLR (October 2022)	Section 14	Some of these other VCs are listed as species at risk, therefore any decrease in habitat over long periods could be considered as significant	
345.	YNLR (October 2022)	Section 14	<p>NexGen is committed to reclaiming habitat disturbed by the Project footprint and offsetting the incremental loss of caribou habitat to help achieve self-sustaining and ecologically effective caribou populations.</p> <p>YNLR supports this commitment and expects to be involved in any future decisions regarding woodland caribou conservation.</p>	
346.	YNLR (October 2022)	Section 14	As with other Project monitoring commitments, YNLR will be looking to see that such programs are open, transparent, and statistically robust.	
347.	YNLR (October 2022)	Section 6, 11, 13 and 14	General comment on Sections 6, 11, 13, and 14: The EIS asserts in a number of places that the selected ecological VCs are representative of all boreal forest biodiversity and ecological health/integrity. This is an invalid assumption and oversimplification of the actual situation, which is far more complex	
348.	YNLR (October 2022)	Section 15	YNLR wonders whether data and experience gathered on human health effects at other uranium mining projects would have been included? What are the human health records from other uranium mines?	
349.	YNLR (October 2022)	Section 15	It is likely that many nuclear energy workers will also consume traditional foods (see Page 18-57).	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
350.	YNLR (October 2022)	Section 16 Figure 16.1-1	<p>Figure 16.1-1 shows the Athabasca Denesųliné reserves but does not name the First Nations or show our community locations. Further, the map does not show the Athabasca Denesųliné traditional territory. The map should show this information. This information has been available to the public since 2008 - prior to the beginning of NexGen’s Rook 1 project. Our traditional territory is referenced on the YNLR website (www.yathinene.ca) and was available on the sites of our predecessor organizations through the Prince Albert Grand Council. This information was contained within the report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment - provided to NexGen in December 2020. Lastly, we include a map of the Athabasca Denesųliné traditional territory herein as Figure 2.</p>	
351.	YNLR (October 2022)	Section 16.1.2	<p>In the purpose and approach to the assessment. The Athabasca Denesųliné question how Step 2 “characterize existing conditions” can be appropriately met given that the AD were excluded from fulsome consideration as a primary Indigenous group. The limited consideration of the Athabasca Denesųliné during Step 2 has implications for subsequent steps</p>	
352.	YNLR (October 2022)	Section 16.2.1	<p>The YNLR prepared (with financial support from NexGen) the 2020 Report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – on behalf of the Athabasca Denesųliné communities including Black Lake Denesųliné First Nation, Fond du Lac Denesųliné First Nation, and the Hatchet Lake Denesųliné First Nation. Lastly, the comment that the level of AD engagement was designated by the CNSC and ENV and accepted by NexGen does not appear to be congruent with the selection criteria that NexGen identified within the EIS to determine primary Indigenous groups (See YNLR comments on EIS Sections 1.2.3 and 2.4.1 as well as comments below). Did NexGen apply the criteria or not? Either way, the Athabasca Denesųliné have been improperly excluded from the primary Indigenous group category.</p>	
353.	YNLR (October 2022)	Section 16.2.2.1	<p>The Athabasca Denesųliné were not involved in the community information sessions referenced, nor were they included in JWGs or its discussions, nor did the EA process engage with them as actively and deeply as with those deemed “primary” Indigenous groups. These exclusions are unfortunate as it means AD’s core method for providing relevant information was via the 2020</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Report - Provision of Athabasca Denesų́liné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – prepared by YNLR on behalf of the Athabasca Denesų́liné communities including Black Lake Denesų́liné First Nation, Fond du Lac Denesų́liné First Nation, and the Hatchet Lake Denesų́liné First Nation without the benefit of continuous and supporting discussion with NexGen.</p>	
354.	YNLR (October 2022)	Section 16.2.2.2	<p>As noted herein, the Athabasca Denesų́liné have had limited input, mainly due to their exclusion from the primary Indigenous group category, into the development of the VCs. This ensures that some elements are overlooked. For example, the Athabasca Denesų́liné generally use to access the portions of their traditional territory near the Project via cross- country routes. A focus on road access or proximity will overlook this fact.</p>	
355.	YNLR (October 2022)	Section 16.2.3	<p>Unfortunately, the omission of the Athabasca Denesų́liné means that their traditional territory, Treaty area, traditional land and resource uses, and their cultural connections to the landscape were missed.</p>	
356.	YNLR (October 2022)	Figure 16.2-1	<p>Figure 3 (in YNLR comments) overlays the Athabasca Denesų́liné traditional territory, Treaty 8 boundary, and traditional land and resources uses with the EIS map of the LSA and the RSA. Figure 4 (in YNLR comments) is an enlargement of same information in the area near the Project. Clearly there is overlap between rights and interests and both the LSA and RSA. In fact, Athabasca Denesų́liné traditional territory covers approximately 86% of the LSA. the This Athabasca Denesų́liné traditional territory information has been publicly available since at least 2008 (before the NexGen Rook 1 Project) and other information was provided directly to NexGen during the EA process. [Note these figures appear in early section comments]</p>	
357.	YNLR (October 2022)	Section 16.2.4	<p>The EIS (p 16-20) notes that the temporal scope for the assessment is 43 years from Construction to Operations to Decommissioning and Reclamation phases.</p> <p>The potential impacts to Athabasca Denesų́liné rights and interests over such a lengthy period of time makes their limited inclusion in the EIS all the more egregious.</p>	

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358.	YNLR (October 2022)	Section 16.2.6	While the Athabasca Denesųliné were able to provide some information through their IKTLU study and comments on the Project Description, they were not provided the opportunity to provide supporting and supplemental information through JWG meetings, workshops, KP Interviews, baseline study	
359.	YNLR (October 2022)	Section 16.2.8	The Athabasca Denesųliné see the cultural landscape assessment criteria as limited and not reflective of their broader rights and interests given the incomplete appreciation of their traditional territory and other information provided along with the limited engagement opportunity to ensure NexGen’s appreciation.	
360.	YNLR (October 2022)	Section 16.3.2	The Athabasca Denesųliné have repeatedly raised their issues with their categorization as an “other Indigenous group rather than a “primary” Indigenous group and the resulting lesser level of engagement and consideration in the Project EA	
361.	YNLR (October 2022)	Section 16.3.3	The information from the primary Indigenous groups is very detailed and the result of a long-term, focused engagement process. A process that placed less attention on the AD. The Athabasca Denesųliné are not questioning the inclusion any of the other Indigenous groups within the EIS. They are merely pointing out inconsistent treatment and highlighting its ramifications. Further, we note within the descriptions of these groups that there are a number of references that support the Athabasca Denesųliné assertions of traditional territory and land use	
362.	YNLR (October 2022)	Section 16.3.3.4.1	The Athabasca Denesųliné note that within the descriptions of these groups, their neighbors, that there are a number of references that support the assertions of AD traditional territory, land use, and travel patterns	
363.	YNLR (October 2022)	Section 16.3.3.5	It is incorrect to state that the AD traditional use does not overlap the LSA. The Athabasca Denesųliné traditional territory and specific land uses do indeed overlap the LSA (and RSA) almost entirely (See Figures 3 and 4 above). Further this statement seems at odds with the information presented in other sections of the EIS	
364.	YNLR (October 2022)	Section 16.3.3.5	It’s important to note that the Project is within the range of the caribou herds that define the Athabasca Denesųliné. Where there are, or have been caribou, there have been Athabasca Denesųliné. The following map (Figure 6) produced by the BQCMB shows that the Athabasca Denesųliné Traditional	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			Territory, the NexGen Project's Indigenous Land and Resource Use's LSA both fall almost entirely within the range of the barren-ground caribou	
365.	YNLR (October 2022)	Section 16.3.3.5	The Athabasca Denesųliné's traditional territory and documented land use includes almost all of the LSA (see Figures 3 and 4 in the YNLR comment).	
366.	YNLR (October 2022)	Section 16.4.3 Section 24	Given their treatment as a non-primary Indigenous group thus far in the EA, the Athabasca Denesųliné are questioning whether they would be included in the mitigation options identified. Is NexGen considering their inclusion in programs such as caribou measures, Indigenous monitors, implementation committee, Environmental committee, Benefits agreements, and others? The Athabasca Denesųliné believe that they should be full participants in any such endeavours	
367.	YNLR (October 2022)	Section 16.5.1.2.3. Section 24.4.1.3.3	The Athabasca Denesųliné believe that they should be full participants in any Caribou Mitigation and Offsetting Plan.	
368.	YNLR (October 2022)	Section 16.7	The statement of limitation also applies to the Athabasca Denesųliné as noted specifically in their IKTLU study... "This study does not represent all Denesųliné values in the project study area, and an absence of data does not signify an absence of use or value." The AD were excluded from most of the uncertainty management measures noted in the EIS. The AD should be included in the citation as noted. Further, their exclusion from primary Indigenous group status should be addressed.	
369.	YNLR (October 2022)	Section 16.8	The Athabasca Denesųliné believe that their status as a non-primary Indigenous group is not justifiable given their traditional territory, Treaty 8 membership, the proximity of their communities to the Project, well documented land and resource use within the LSA and RSA, relationship with NexGen and the CNSC, and potential impacts on their aboriginal and Treaty Rights. Such a mis-categorization may prevent them from being fully involved in the monitoring activities noted in the EIS. The AD should be enabled to fully participate in these activities.	
370.	YNLR (October 2022)	Section 17	Would not the active exclusion of unauthorized people from the Project area also affect other land and resource use?	
371.	YNLR (October 2022)	Section 17	YNLR considers the long-term addition of two work camps in the region to be a potential impact on local fish and wildlife resources, which would potentially reduce the availability of fish and wildlife for harvesting (note that	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			the baseline studies showed that several lakes in the area are showing signs of overharvest)	
372.	YNLR (October 2022)	Section 18.2.6.2	To the best of our knowledge, no Athabasca Denesųliné members participated in the key person interviews. The Athabasca Denesųliné believe that their categorization as an “other” Indigenous group is incorrect and that with the attributes of a primary Indigenous group, they should be full participants in engagement activities	
373.	YNLR (October 2022)	Section 18.2.6.3	While the Athabasca Denesųliné were able to provide some information through their IKTLU study and comments on the Project Description, they were not provided the opportunity to provide supporting and supplemental information through JWG meetings, community meetings, workshops, KP Interviews, baseline study, etc	
374.	YNLR (October 2022)	Section 18.3.6.1	<p>The YNLR prepared (with financial support from NexGen under a limited Study Agreement) the 2020 Report - Provision of Athabasca Denesųliné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – on behalf of the Athabasca Denesųliné communities including Black Lake Denesųliné First Nation, Fond du Lac Denesųliné First Nation, and the Hatchet Lake Denesųliné First Nation. This study clearly shows that our traditional territory, Treaty, and land/resource use overlap with the LSA and the RSA.</p> <p>The YNLR report (page 5) references (and includes) a map prepared by the Beverly and Qamanirjuaq Caribou Management Board that shows the caribou range based on a variety of information sources. It is not intended to be a map of shifting range. In fact, the Board provides an interpretation note on their map that reads “It is important to note that the map is based on telemetry locations for a small number of adult female caribou that have been collared and tracked by satellite for a limited time period. As a result of these limitations, an area mapped without caribou locations does not necessarily indicate a lack of use or low importance to caribou. It could simply be an area where collared animals have not been located and could potentially be an area of high use by non-collared animals”. The inaccuracies in the EIS footnote should be corrected.</p>	
375.	YNLR	Section 18.4	The Athabasca Denesųliné believe that their categorization as an “other” Indigenous group is incorrect (and hence AD are excluded from the LPA) and	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
	(October 2022)		that as they have the attributes of a primary Indigenous group, they should be full participants in engagement activities and programs related to education and training, business and contracting opportunities, mitigation implementation and other benefits.	
376.	YNLR (October 2022)	Section 18.4	The NexGen and Fission mines have a huge opportunity to significantly improve the socio- economic conditions in this region. YNLR welcomes this and is available to assist in any way with these developments, provided the land and waters are protected from long-term damage.	
377.	YNLR (October 2022)	Section 18.4	The key point is the high value of the land as a natural food and medicine resource. While the new mine will provide an excellent opportunity for employment, its employment impact on the total population of the LSR is relatively small, which highlights the actual value of the land to provide sustenance. The natural long-term productivity of the land must therefore be protected	
378.	YNLR (October 2022)	Section 18.4	<p>The EIS notes: An analysis was completed to evaluate Project components and activities and associated effects pathways that could potentially affect economy; this analysis included consideration of both adverse and beneficial effects. The evaluation also considered similar combined effects from the Fission Patterson Lake South Property, the identified RFD for the economy assessment. Project characteristics that have the potential to affect the economy during the Project lifespan include (Page iii, Section 18, EIS):</p> <ul style="list-style-type: none"> • Estimated capital expenditures of \$1.3 billion over the four years of Construction • A peak construction workforce of approximately 350 workers, with actual on-site labour requirements varying throughout Construction • Typical annual operating spending of \$167 million • An operations workforce, including a forecasted 486 direct jobs during the operating peak and approximately 425 direct jobs during a typical year of Operations • Spending during Closure • Aspirational targets established by NexGen Energy Ltd. (NexGen) for hiring workers from LSA communities (i.e., 75%) and external spending awarded to LSA and RSA businesses (i.e., 30%) 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Proposed mitigation and enhancement measures, such as the delivery of certified and accredited training and recruitment programs, development of culturally sensitive employment policies, and increasing involvement of local businesses within the LSA would reduce adverse 119 effects and enhance beneficial effects on the economy. In addition to these mitigation and enhancement measures, NexGen is in the process of negotiating Benefit Agreements with primary Indigenous Groups in the LSA and has signed agreements with three groups. Although details of these agreements are confidential and have not been finalized for all Indigenous Groups, they are premised on commitments including proactively engaging with local communities; supporting the economic participation of affected communities; seeking to provide opportunities resulting in sustainable, lasting benefits to local communities beyond the Project lifespan; and providing clear and timely information to those who have a direct interest in the Project. Implementation of items agreed to in Benefit Agreements is also expected to reduce adverse effects and enhance beneficial effects on the economy. After mitigation measures were considered, the pathways analysis determined that all potentially adverse pathways from the Project to the environment could be removed from the assessment. Therefore, no pathways were carried forward into the residual effects analysis (Page iii).”</p> <p>YNLR supports this initiative and is interested in entering cooperative agreements with both NexGen and Fission</p>	
379.	YNLR (October 2022)	Section 18.4	Income opportunities will provide the ability for individuals and communities to purchase equipment with which to increase lake and forest accessibility, and thereby increase harvest pressure on the area’s natural resources.	
380.	YNLR (October 2022)	Section 18.4	The EIS states: “Monitoring and follow-up would be conducted to confirm effects predictions and address potential uncertainty. Monitoring would also be performed to track progress against long-term targets and identify opportunities to further enhance outcomes. Follow-up and monitoring programs would be used to (Page v): 121 <ul style="list-style-type: none"> • Monitor progress on achieving employment and contracting targets and identify opportunities to improve employment and contracting outcomes 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<ul style="list-style-type: none"> • Maintain ongoing communication and dialogue with local communities to identify and resolve issues • Contribute to the overall continual improvement of the Project <p>In Benefit Agreements with Indigenous Groups, NexGen has committed to establishing an Implementation Committee, which would facilitate an effective, ongoing working relationship between NexGen and the Indigenous Group, and verify that all commitments made within the Benefit Agreements are realized.</p> <p>YNLR approves of these arrangements and looks forward to contributing towards the realization of sustainable development in the north</p>	
381.	YNLR (October 2022)	Figure 19.2-3	Figure 19.2-3 Map for Reasonably Foreseeable Development in the Regional Study Area shows but does not highlight the Athabasca Denesųliné communities also in the Regional Study Area.	
382.	YNLR (October 2022)	Section 20	<p>The residual effects (~ effects remaining after mitigation) summary in Table 20.3-1 has been simplified below. Note that in accordance with the precautionary principle, the highest rankings within Table 20.3-1 have been included:</p> <p>From this, it can be seen that all VCs are predicted to be adversely affected (i.e. a negative direction from assessment endpoints) by the Project. Moderate to high effects are predicted for 5 VCs, including indigenous land use and (notably) four wildlife species. The woodland caribou is predicted to experience a high magnitude of effect. The duration of residual effects is predicted to be permanent to long term for all VCs, with only two (Other Land Use and Community Well-Being) having a high certainty of reversibility. Despite this, other than woodland caribou, all residual effects to VCs are ranked as non-significant, either from the Project or cumulative effects perspectives.</p> <p>To summarize, the majority of VCs will experience adverse residual effects, which are mostly low in magnitude but relatively long lasting with a relatively low certainty of reversal. This seems at odds with the non-significant rankings assigned to most VCs, and points to potential errors</p>	

Number	Source	Reference to EIS, appendix, or TSD	Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)	NexGen Response
			<p>associated with multiple tests and the binary nature of their assigned significance. All other things being equal, one would predict some of the significance rankings to be incorrect simply based on chance alone. YNLR also notes that the human impacts associated with two work camps have been largely ignored by the EIS. These workers will place increased harvesting pressure on the fish and wildlife resources in the area, which would elevate residual effects, especially for the fish, which are at abnormally low population levels in all of the lakes surveyed (Section 11).</p> <p>Furthermore, the residual effects summary table (Page 20-5, EIS) states that the effect on residence moose populations is “not significant” with the rationale “moose are highly adaptable, highly mobile, and can accommodate moderate to high levels of anthropogenic disturbance” Without further qualification, this is a naïve statement or just categorically wrong, which brings the ranking of Not Significant into question. In reality, following the development and increased human access to the area will require additional regulatory measures if the local moose population is to remain sustainable.</p> <p>The summary table also lists the change in impact of indigenous use of the area as “not significant”. While access to the land on a broad scale does not change dramatically, the availability of wildlife, fish and perhaps traditional use plants will not be sustainable and therefore will be degraded with respect to local resource use. The increase in access due to increased purchasing power for off road equipment will allow for increased access in the general area.</p> <p>For these and other reasons, YNLR believes that the residual analyses are collectively over optimistic, and reinforce the need for open, transparent, and statistically robust monitoring programs and follow up, which includes meaningful dialogue with the indigenous people of the region.</p>	
383.	YNLR (October 2022)	Section 21	YNLR supports the level of consultation with indigenous people on accidents and malfunctions, and expects the dialogue to be ongoing.	
384.	YNLR (October 2022)	Section 21	YNLR believes that a collision with wildlife is not unlikely. Did NexGen investigate any relevant data that SGI might have on this matter?	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
385.	YNLR (October 2022)	Section 23	YNLR is ready to continue working on a long-term, collaborative, and mutually beneficial relationship with NexGen	
386.	YNLR (October 2022)	Section 24	Follow up and monitoring is critical. However, while residual effects on most VCs were deemed not significant individually, their significance in total may be, especially given the multiple tests and binary ranking of significance	
387.	Northern Village of Île-à-la-Crosse (Île-à-la-Crosse) (October 12, 2022)	Section 1.2.3	<p>Île-à-la-Crosse is not satisfied with its exclusion from the LPA. Historically, all communities in northwest Saskatchewan on the Highway 155 corridor have participated in engagement related to uranium mining projects in northwest Saskatchewan, and the EIS does not satisfactorily explain NexGen’s rationale for changing and revised the Cut-off Point from the area which has historically been used and applied. This newly established arbitrary Cut-off Point specifically excludes Île-à-la-Crosse without any logical or reasonable rationale</p> <p>In terms of proximity, it should be noted that Île-à-la-Crosse was considered an impact community and was engaged on the Cluff Lake Mine project and that the Rook I Project is approximately 80 km closer to Île-à-la-Crosse as compared to the Cluff Lake Mine Project. Furthermore, Île-à-la-Crosse is only 52 km away from the Cut-off Point and only 64.5 km from the Northern Village of Buffalo Narrows, which has been included in the LPA.</p> <p>With regards to the potential impacts upon the community, the exclusion of Île-à-la-Crosse within the LPA will cause extreme and sever economic and community hardship. There is limited access to training and education and limited employment and business opportunities within or near Île-à-la-Crosse and by including communities as part of the LPA which are so close in proximity and excluding Île-à-la-Crosse, many of the residents will relocate and leave Île-à-la-Crosse in order to fall within the LPA in pursuit of educational and employment opportunities. This mass exit of community members will have both short and long term negative and lasting impacts</p> <p>Additionally, the EIS already identifies the various impacts the Project will have on Highway 155, which includes, increased volume of traffic, congestion, noise, debris, vibrations, pollution as well as the movement of</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>dangerous goods. As Highway 155 is the only access road for Île-à-la-Crosse, clearly all of these factors will have an impact upon Île-à-la-Crosse and its residents.</p> <p>Given the forgoing, we see no logical reason or rational for specifically excluding Île-à-la-Crosse from the LPA and the establishment of the new Cut-off Point, as compared to the historic engagement area.</p> <p>Île-à-la-Crosse requests that it be added and included in the LPA.</p>	
388.	Île-à-la-Crosse (October 12, 2022)	Table 1.2-1	<p>In reviewing Table 1.2-1 we believe that the following Rationales would equally, if not more so, apply to our Métis People: Île-à-la-Crosse in comparison to the include Metis Communities: Proximity to the Project; Potential land use in proximity to the Project; Potential overlap with traditional territory; and increase Project-related traffic.</p> <p>Our historical Métis Community: Île-à-la-Crosse is approximately 320 km from the Project in terms of proximity, making it closer than or equal to two of the other Primary Indigenous Groups, and closer to the Project than <u>all</u> the “other Indigenous Groups” identified in the EIS</p> <p>The EIS already identifies the issues and impacts in terms of potential land use in proximity to the Project, potential overlap with traditional territory in increased Project-related traffic, all of which would equally, if not more so, apply to our historical Métis community: Île-à-la-Crosse.</p> <p>Île-à-la-Crosse is not satisfied with its exclusion from the Local Priority Area in the exclusion of our Métis people as a Primary Indigenous Group identified for full engagement. Île-à-la-Crosse has historically been engaged on mining projects in northwest Saskatchewan, is in close proximity to the Project, and will be impacted by the Project. Île-à-la-Crosse therefore requests that the LPA be expanded to include Île-à-la-Crosse and the Métis people of Île-à-la-Crosse be identified as a Primary Indigenous Group.</p>	
389.	Athabasca Chipewyan First Nation (ACFN)		<p>The EIS hydrology and climate-change components contain data and assessment gaps and methodological deficiencies that likely mean EIS effects assessments are unreliable and may underestimate potential effects.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
	(October 28, 2022)		Shortcomings in methods involve model validation, characterization of future climates in effects assessments and temporal scope for change in future climates.	
390.	ACFN (October 28, 2022)	Section 9.2.6.1	Inadequate baseline data, particularly at Project-specific monitoring stations undermines the reliability of outputs from hydrologic simulation modelling, particularly for smaller streams.	
391.	ACFN (October 28, 2022)		A predevelopment baseline is not provided. In the absence of a pre-development baseline, explain how cumulative effects on Traditional-use activities can be fully and appropriately determined.	
392.	ACFN (October 28, 2022)	Section 9.2.6.1	The absence of systematic documentation of Indigenous navigability and its requirements is of concern given the importance of water-based access for carrying out Traditional-use activities.	
393.	ACFN (October 28, 2022)	Section 9.2.6.2.6; Section 9.8; Section 9A5	Confirm whether the hydrologic model was validated at non-regional scales. If it wasn't validated, also explain why it was subsequently applied in the EIS effects assessments at these non-regional scales.	
394.	ACFN (October 28, 2022)	Appendix 22A5.1; Section 9.4	Revise EIS section 9 (hydrology) to include the range of future climates, carrying forward this range through to the end of the effects assessments.	
395.	ACFN (October 28, 2022)	Section 9.2.7; Section 6.10; Appendix 22A	a) Revise the future projected climate to include the full extent of climate change expected during Project lifespan – ie, to 2067 rather than to 2055. b) Revise EIS section 9 (hydrology) to include the full temporal range of projected climates (to 2067) carrying forward this range through to the end of the effects assessments.	
396.	ACFN (October 28, 2022)	Section 6.3.1 (p6-12), Section 6.3.2 (p6-12); Section 9 Executive Summary (pi-iii); Section 9.3.2.1 (p9-39 & 9-40); Section 9.3.2.2 (p9-48 to 9-51); Section 9.3.6 (p9-58); Section 9.6.3 (p9-85 to 9-91); Section 16.2.2.3	Provide an Indigenous navigation effects assessment including a thorough and systematic description of the navigation requirements of Traditional-use activities.	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		(p16-15); Section 16.2.7 (p16-26); Section 16-5		
397.	ACFN (October 28, 2022)	Section 9.8; Section 9.2.11	Given the short duration of the Project-specific baseline data, the inappropriate consideration of projected climates within the effects assessments, and the lack of RSA model validation at non-regional scales, explain how the EIS can justify claiming a high confidence for its hydrology predictions.	
398.	ACFN (October 28, 2022)	10.2.8.3.3 Productivity Status Thresholds, p. 10-48 to 10-49 Table 10.2-8 10.3.1.3 Productivity Status Constituent Concentration, p. 10-62 to 10-64 Table 10.3-7	Please revise the total phosphorous water quality Project Threshold to 10 µg/L, from 20 µg/L.	
399.	ACFN (October 28, 2022)	10.2.8.3.4 Sediment Quality Thresholds Table 10.2-9	Please explain why sediment quality Project Thresholds were not selected for constituents with existing guidance thresholds available.	
400.	ACFN (October 28, 2022)	10.3.1.2 Water Quality (Risk to Aquatic Life and Terrestrial Life) and Drinking Water Quality Constituent Concentrations, p. 10-57 10.3.1.3 Productivity Status Constituent	a) Please revise the water and sediment quality data compilations and related analyses, so that censored data points are not substituted at all. Please instead use the above-mentioned newer and more robust approaches for the water and sediment quality data used in this study. b) For any future monitoring, please plan analytical sample analyses accordingly, so that whenever possible detection limits are not near to or above the applicable thresholds. In interpreting data, please note that there is a large degree of uncertainty inherent in values near the detection limit, including when detection limits are below but close to thresholds.	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Concentration, p. 10-62		
401.	ACFN (October 28, 2022)	10.3.2 Sediment Quality	Please clarify – were sediment concentration data standardized to particle size for the purposes of sediment quality QA/QC and comparisons or summaries between sites and years?	
402.	ACFN (October 28, 2022)	10.3.1.2 Water Quality (Risk to Aquatic Life and Terrestrial Life) and Drinking Water Quality Constituent Concentrations Tables 10.3-3 through 10.3-6, p. 10-58 to 10-61	<ul style="list-style-type: none"> a) Please justify the pooling of the site data in calculating and presenting base case summary statistics, including as a base case for further impacts assessment steps. b) If this pooling cannot be justified, please recalculate and present summary statistics for each lake, lake basin (in the case of Patterson Lake), and each river sampling site separately. 	
403.	ACFN (October 28, 2022)	Section 10: Surface Water Quality and Sediment Quality	Please refrain from refer to existing or base case conditions as “naturally occurring” or “natural” without supporting evidence. It is contrary to the stated assessment approaches and methods and is also invalid.	
404.	ACFN (October 28, 2022)	10.4 Project Interactions and Mitigations Table 10.4-1	Please include in the impact assessment an assessment of the potential for acidification of lakes and rivers as a result of emissions from the Project depositing to surface water systems.	
405.	ACFN (October 28, 2022)	Section 10.2.5, p. 10-20	Please explain the decision to remove consideration of Project effects on sediment quality following the life of the Project. Why would water quality effects continue, but not sediment quality effects?	
406.	ACFN (October 28, 2022)	Table 6A-1, p. 2 10.5.2.1.6 Climate Change Sensitivity Scenario, p. 10-110 to 10-112	<ul style="list-style-type: none"> a) Please clarify, were climate change-induced effects on surface water temperatures included in climate change scenarios assessed for Project and cumulative effects? b) If the answer is no, please include climate change-induced effects on surface water temperatures in the assessment of impacts to water quality and surface water systems from the Project, other developments and climate change. 	

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407.	ACFN (October 28, 2022)	10.4.2 Secondary Pathways, p. 10-71	Please confirm that snow quality will be monitored in future to confirm that air emissions to land and subsequently to surface water systems is unlikely to result in non-negligible residual effects on surface water and sediment quality.	
408.	ACFN (October 28, 2022)	10.5.1.2.6 Sensitivity Analysis, p. 10-96 Figure 10.5-12	<p>a) Please remove the final sentence in the paragraph proceeding Figure 10.5-12. It is scientifically invalid.</p> <p>b) Please assess the predicted trophic status shift in the Patterson Lake basins for residual effects, without explaining away the likelihood of such a shift. This applies to the Application Case reasonable upper bound and the cumulative (RFD) scenarios.</p> <p>c) Please note that, in light of the above, the following statement in Section 10.5.3.1.1 (p. 10- 114) appears to be incorrect:</p> <p style="padding-left: 40px;">“The Project effects on the measurement indicators during the lifespan of the Project for the reasonable upper bound sensitivity scenario would be consistent with the effects described for the Application Case, albeit with higher projected COPC concentrations.”</p> <p>This statement fails to acknowledge the predicted shift in trophic status under the reasonable upper bound scenario. Please revise it to include this predicted impact.</p>	
409.	ACFN (October 28, 2022)	10.5.3 Residual Effects Classification, p. 10-112 to 10-113	Please clarify, of the mitigations listed in point form in section 10.5.3, where any included in the predictive models, especially the Project site wide model? If any were included in the model and subsequently the model predictions, then would any of these mitigations contribute to a further decrease when determining residual effects?	
410.	ACFN (October 28, 2022)	10.5.3.1.1 Application Case, p. 10-113 to 10-114	<p>a) Please clarify, are predicted changes to each COPC in water under the Application Case ad RFD scenario expected to return to base case concentrations, or reach a pseudo-steady state? If it is the latter, will the pseudo-steady-state establish at a concentration higher than the base case or the Project threshold? A table might help to present the results for each COPC.</p> <p>b) In each case, please clarify, are the effects considered reversible?</p>	

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411.	ACFN (October 28, 2022)	10.6.1.4 Regional Surface Water Quality Model, p. 10-123	<p>In a discussion of the regional surface water quality model, NexGen claims that the prediction of effects from the nearby Fission Project were conservative, in part because effluent concentrations from the Fission project were assumed to be equivalent to the median effluent concentrations from the Project. But, why would an assumption like that, using the median quality from another project, be considered conservative?</p> <p>Please explain, how is the approach discussed above conservative, and not just reasonable?</p>	
412.	ACFN (October 28, 2022)	Section 1.3.4; 15.2.8	<p>a) Please update section 1.3.4 to include available federal human health and ecological risk assessment guidance documents, and</p> <p>b) Confirm that federal health risk assessment guidance was relied on to conduct the HHRA (Section 15) and ERA (TSD XXI), please specify where federal guidance was modified or not adopted to undertake the ERA</p>	
413.	ACFN (October 28, 2022)	Section 15.2.8.2; 4.2.3; 4.3.3	<p>a) It is requested that the proponent re-evaluate the predictive modelling data for air, surface water (end of pipe), sediment and soils in the ERA to first identify bioaccumulative and persistent substances as per CEPA Persistence and Bioaccumulation Regulations (SOR/2000-107) and include these as COPCs, without the application of any additional screening criteria.</p> <p>b) If the proponent chooses to identify COPCs by comparing predicted concentrations of COPCs to screening values, it is requested that additional criteria from the US EPA and WHO be included.</p>	
414.	ACFN (October 28, 2022)	15.2.3 (Table 15.2-2; Figure 15.2-1); 14.2.4	<p>a) It is requested that the proponent provide a summary of ACFN identified issues related to the spatial and temporal boundaries and predicted concentrations of COPCs in air, soil, and water modelling (Sections 6,7,8,9,10,11, 12, 13, and 14).</p> <p>b) Based on the summary of issues, it is requested that the proponent update the ERA (TSD XXI) and the HHRA (Section 15) accordingly and</p> <p>c) Provide a summary of how updates based on ACFN comments affected the predicted risks (i.e. HQs, ILCRs, Radiation Dose) in the HHRA.</p>	
415.	ACFN (October 28, 2022)	Section 15.2.5	It is requested that the proponent provide an additional assessment case “pre development” and results from this additional assessment case are used to develop risk-based adaptive monitoring, management and mitigation plans	

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			that address cumulative effects and support collaboration between industrial stakeholders to reclaim the environment to pre disturbance condition.	
416.	ACFN (October 28, 2022)	TSD XXI, Section 15	It is recommended that the proponent adjust the Project life to align with outputs from the predictive modelling which indicate project related contaminants released from the UGTMF and waste rock seepage to groundwater may intercept Patterson Lake and affect surface water quality and risks to human health from contamination of traditional foods from 77 to > 1000 years. At a minimum, the ERA should extend to 77 years when groundwater influences from the waste rock pile are predicted to discharge to the south end of Patterson Lake and would overlap with the predicted future development case.	
417.	ACFN (October 28, 2022)	TSD XXI, Section 15	Please provide a comparison of the predicted risks from exposure to the project only scenario to the scenario which accounts for exposure to baseline conditions and the project related effects by comparing to the hazard quotients (HQ) of 1.0 (for all exposure pathways) to indicate if the adopted methods are a representative measure of the predicted risks to human health.	
418.	ACFN (October 28, 2022)	TSD XXI, Section 15	It is recommended that the screening process to identify COPCs associated with surface water, sediment, air ,and soil be re-evaluated to consider complex mixtures as per Health Canada guidance and identify individual COPCs and mixture based COPC classes that reflect similar target organs/ effects/ mechanism of action and that these new COPCs be reflected in an updated HHRA and EcoRA	
419.	ACFN (October 28, 2022)	TSD XXI, Section 15	<p>a) Please clarify if the screening process identified COPCs which exceeded screening values at each of the identified areas (end of pipe, boundary of mixing zone, runoff) or if a COPC was only identified if predicted concentrations exceeded at each of the areas</p> <p>b) If the response indicates that COPCs were identified only if predicted concentrations exceeded screening values at the end of pipe and boundary of the chronic mixing zone, please re-screen the predicted concentrations and identify COPCS as those project related contaminants which exceeded screening values at the end of pipe.</p>	
420.	ACFN (October 28, 2022)	TSD XXI	It is recommended that the air quality guidelines (AQGs) published by the WHO be added to the sources of air quality screening values and considered in the selection of final screening values to identify air related COPCs.	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
421.	ACFN (October 28, 2022)	TSD XXI	a) Please provide rationale describing how the air dispersion modeling study is representative of long-term exposures and supports the assessment of health risks. b) It is recommended that the air dispersion modelling be updated to a 3-year period to allow for comparison to federal air quality standards (CAAQS) and that this comparison be undertaken and results reflected in the EIS	
422.	ACFN (October 28, 2022)	TSD XII	a) It is recommended that the ERA be updated with soil screening values derived using the CCME (2006) guidance for metals associated with air deposition of total suspended particles, b) the derived values be included in the screening process to identify air associated COPCs, and c) the HHRA be updated to reflect any additional COPCs which were identified though this conservative approach	
423.	ACFN (October 28, 2022)	TSD XXI	a) It is recommended that the ERA be updated with all known carcinogenic substances as per Health Canada toxicity reference values (TRV) guidance (2021) b) It is recommended that the HHRA be updated to reflect carcinogenic substances which may act through additive mechanisms.	
424.	ACFN (October 28, 2022)	Section 13	a) Please explain which non-native plant species may be used in reclamation and why that species would be used instead of a native plant species. b) For each non-native plant species to be used, explain how that species will be prevented from becoming established within the reclaimed plant community and altering species composition relative to pre-disturbance.	
425.	ACFN (October 28, 2022)	Section 13	Please provide evidence from the scientific literature that the mitigations for fugitive dust and constituent emissions will be successful in preventing dust or other emissions from coating the leaves of plant species in the vicinity of Project construction and operations activities	
426.	ACFN (October 28, 2022)	Section 13	Please provide evidence from the scientific literature that mitigations for fugitive dust and constituent emissions are effective at preventing significant impacts on the nutritional quality, growth, and survivorship of plant species,	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			particularly those that have been shown to be sensitive to dust and other emissions.	
427.	ACFN (October 28, 2022)	Section 13	If site roads and the haul route from the headworks to the waste rock piles are unpaved, please provide justification for why the speed limit of 25 km/hr will not apply in these areas.	
428.	ACFN (October 28, 2022)	Section 13	Will all other mitigations in the Project effects pathway (Table 13-4.1) be applied to site roads and the haul route from the headworks to the waste rock piles to prevent dust, radon, and other emissions from being generated and impacting nearby plant species?	
429.	ACFN (October 28, 2022)	Section 13	Please explain how NexGen will promote propagation and regeneration	
430.	ACFN (October 28, 2022)	Section 13	Please provide evidence from the scientific literature or data from other projects to show the effectiveness of the techniques used to promote propagation and regeneration.	
431.	ACFN (October 28, 2022)	Section 13	Given the prevalence of invasive species in the disturbed areas of the Project, and their prevalence in human-disturbed areas generally, including in reclamation sites, will NexGen consider carrying forward the invasive species pathway in the assessment of Project effects?	
432.	ACFN (October 28, 2022)	Section 13	Given that many of the predominant species (i.e., lichens, mosses) found in the plant communities to be disturbed by the Project footprint, including traditional use plant species, are difficult to re-establish in reclamation, please provide justification for the prediction that the impacts on the availability of upland and riparian ecosystems are reversible.	
433.	ACFN (October 28, 2022)	Section 13.5.5	Please provide evidence from the scientific literature that the plant species that predominate pre-disturbance plant communities (e.g., lichen, feathermosses) can be reestablished within reclamation sites in the boreal forest.	
434.	ACFN (October 28, 2022)	Section 6.5	Please quantitatively assess changes in wildlife habitat from pre-disturbance to existing conditions to understand the degree and rate of change in wildlife habitat quality and quantity. If not, please provide rationale.	
435.	ACFN (October 28, 2022)	Section 14.2.2	Please discuss further how Project Application and RFD impacts on upland and wetland ecosystems are indicative of impacts on grouse and ptarmigan.	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
436.	ACFN (October 28, 2022)	Section 14.2.2	Please summarize magnitude of Project and RFD impacts to fisher and marten given the predictions and significance outcomes for caribou, little brown myotis and upland habitats assessments.	
437.	ACFN (October 28, 2022)	Section 14.4	Please provide explanation as to how the effluent treatment plant (ETP) final diffuser design will mitigate changes to ice thickness.	
438.	ACFN (October 28, 2022)	Section 14.2	Please clarify what species were included in the ecological risk assessment.	
439.	ACFN (October 28, 2022)	Section 14.2	Please describe what wildlife species will be monitored and how they will be monitored to verify the predictions in the risk assessment.	
440.	ACFN (October 28, 2022)	Section 14.4	Please discuss whether the PM10 exceedances may pose a risk to wildlife that consume aquatic vegetation.	
441.	ACFN (October 28, 2022)	Section 14.4	Please define what “adverse” effects represents.	
442.	ACFN (October 28, 2022)	Section 14.4	How will NexGen monitor for potential changes in wildlife habitat availability and quality due to these predicted exceedances, particularly for woodland caribou.	
443.	ACFN (October 28, 2022)	Section 14.5	In addition to the discussion of habitat distribution under the Application and RFD cases, please provide further details on size of the suitable habitat patches and distance between these habitat patches from the LSA for each wildlife VC.	
444.	ACFN (October 28, 2022)	Section 14.5	Please provide connectivity analyses as part of the impact assessment. If not, provide ecologically supported rationale for not doing so.	
445.	ACFN (October 28, 2022)	Section 14.4	Please discuss mortality risk for smaller wildlife VCs in the residual effects assessment.	
446.	ACFN (October 28, 2022)	Section 14.4	How will mitigation effectiveness be assessed given that smaller species may be under reported or unknown at the time of collision?	
447.	ACFN (October 28, 2022)	Section 14.2	What other movement corridors were identified in the RSA that would support wildlife movement due to the loss of the narrows, and the area between Patterson Lake and Forrest Lake? Please identify areas on a map	
448.	ACFN (October 28, 2022)	Section 14.2	What feedback was shared from the Indigenous working groups regarding the removal of these areas and its impact to wildlife and member access/movement for traditional activities.	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
449.	ACFN (October 28, 2022)	Section 14.2	How did the impact assessment consider Indigenous values and importance of the movement route in the impact significance determination?	
450.	ACFN (October 28, 2022)	Section 14.7	Please discuss how wildlife use of reclaimed habitat will be assessed in follow up programs.	
451.	ACFN (October 28, 2022)	Section 14.7	Provide an outline of what predicted impacts the monitoring program for wildlife will address and methods for studying those impacts.	
452.	ACFN (October 28, 2022)	Appendix 14B	Can the classification of burns be modified to correspond with optimal moose habitat to make the moose HSI more accurate?	
453.	ACFN (October 28, 2022)	Appendix 14B	Is there any forestry activity in the area that needs to be considered in the HSI?	
454.	ACFN (October 28, 2022)	Appendix 14B	Can the HSI model be adjusted to reflect the ecological interaction of recently logged or burned areas (moose forage) with roads (predator access)?	
455.	ACFN (October 28, 2022)	Appendix 14B	Are pools of existing data and scientific consensus regarding moose populations available for the area?	
456.	ACFN (October 28, 2022)	Appendix 14B	Are other moose models available for a similar region that have been developed with validation?	
457.	ACFN (October 28, 2022)	Appendix 14B	Can additional pre-disturbance data be collected for the purpose of model validation?	
458.	ACFN (October 28, 2022)	Appendix 14B	Please provide a brief justification / explanation for the application of the various zone of influence (ZOI) distances for each Valued Component and disturbance type.	
459.	ACFN (October 28, 2022)	Appendix 14B	Please provide information on the overall level of linear disturbance in the RSA.	
460.	ACFN (October 28, 2022)	Appendix 14B	Consider that wolf use of linear features may change depending on the overall amount of linear disturbance in the landscape. Does this change any of the classifications of existing disturbance in the wolf habitat models?	
461.	ACFN (October 28, 2022)	Section 14.5.13	Please quantitatively assess changes in biodiversity including providing metrics on existing biodiversity in the study area compared to similar areas in the region	
462.	ACFN (October 28, 2022)	Section 1.2.3	Section 1.2.3 of the EIS makes a distinction between Local, or Primary, Indigenous Groups, and Other Indigenous Groups. ACFN is identify as an “Other Indigenous Group”. The Rationale for this is cited in Table 1.2-2 and	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>includes the following statement/bullet point: “Potential overlap with traditional territory but no access link or known residency/land use.”</p> <p>This statement is factually incorrect, as ACFN maintains active use in the area.</p> <ol style="list-style-type: none"> 1) Please explain what information was used as the basis for the above statement, and provide references, if any to these sources of information 2) Please describe what efforts were undertaken, if any, to confirm the above statement directly with ACFN 	
463.	ACFN (October 28, 2022)	Section 1.3.2	Please indicate whether any meetings were held, whether in person or virtual, with ACFN Leadership, Staff, or Community, to enable dialogue regarding the Project and how ACFN could be potentially affected by it.	
464.	ACFN (October 28, 2022)	Section 1.3.2	<p>Section 1.3.2 of the EIS states “NexGen’s approach to the EA process has been focused on enabling dialogue with and seeking feedback from Indigenous Groups who could be potentially affected by the proposed Project”.</p> <p>On the basis of inaccurate information, NexGen categorized ACFN as an "Other Indigenous Group" and sought only to inform ACFN of the project. Through inclusion of ACFN as an "Other Indigenous Group", NexGen acknowledges that ACFN "could be potentially affected by the proposed Project". However, NexGen did not demonstrate effort or interest in enabling dialogue with ACFN, for the purpose of seeking ACFN's input."</p> <p>Please describe what efforts were undertaken, if any, to confirm the above statement directly with ACFN prior to including it in the EIS.</p>	
465.	ACFN (October 28, 2022)	Section 2.4.1	Please provide further rationale for determining ACFN as a group who would not require the same level of consultation as a primary Indigenous group	
466.	ACFN (October 28, 2022)	Section 2.4.1	Please enter into a full Study Agreement with ACFN, which would commence with ACFN undertaking a TLU/IK study to further enhance NexGen’s understanding of ACFN’s use and ACFN’s indigenous knowledge. This information, and subsequent studies as deemed relevant, must then be	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			used to re-evaluate the EIS, including relevant impact predictions and proposed mitigations.	
467.	ACFN (October 28, 2022)	Section 2.4.1	<p>NexGen identified ACFN as having “Weak Claim” on the basis of the statement that there is “no access link or known residency/land use”, which is inaccurate and incorrect. Even if this statement was accurate, NexGen has entered into study agreements with other communities who are classified as “Other” Indigenous Groups at an “inform” level.</p> <p>Please enter into a study agreement with ACFN to provide TLU/IK Study, site visits, meetings with ACFN and ACFN leadership.</p>	
468.	ACFN (October 28, 2022)	Section 2.5.2	<p>1) Please provide information on the reclamation-related caribou research project.</p> <p>2) Please include ACFN in the reclamation-related caribou research project.</p>	
469.	ACFN (October 28, 2022)	Section 2.5.2	<p>The following is stated in the EIS as an example of collaboration and engagement: “NexGen has maintained an open-door policy of informing as a minimum and continues to regularly provide groups with opportunities for enhanced engagement options that range from consult to collaborate participation levels, as appropriate.”</p> <p>The above statement is false as ACFN has requested funding for a study in 2019 and was denied funding.</p> <p>Please include ACFN as a full participator in this process</p>	
470.	ACFN (October 28, 2022)	Section 2.5.5	Please explain what efforts NexGen will undertake to engage with ACFN, including providing ACFN with site visits, meetings and other project-information sharing activities, and meetings with ACFN Leadership	
471.	ACFN (October 28, 2022)	Section 2.7.1.1	<p>The following activities NexGen’s planned engagement with ACFN:</p> <ul style="list-style-type: none"> - Joint Working Groups - Joint Working Group Summaries - Joint Working Group Breakout Sessions - Indigenous Group Leadership and Staff - Benefit Agreements 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>ACFN has not been included in any of the above engagement opportunities to date</p> <ol style="list-style-type: none"> 1) Please provide an invitation to join the working groups 2) Please include ACFN on any indigenous collaboration efforts as a priority Indigenous Group 	
472.	ACFN (October 28, 2022)	Section 2.5.5, 2.6.1.2.2, 3.1.1	Please include ACFN within the local priority area.	
473.	ACFN (October 28, 2022)	Section 2.5.2, 2.5.5, 2.6.1.2.2, 3.1.1,6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19	Please enter into a study agreement with ACFN to provide TLU/IK Study, site visits, meetings with ACFN and ACFN leadership.	
474.	ACFN (October 28, 2022)	Section 3.1.1	<p>NexGen states:</p> <p>“The inclusion of Indigenous and Local Knowledge in the EA aligns with the Government of Canada’s commitment to advancing reconciliation through a renewed relationship based on the recognition of rights, respect, cooperation and partnership”</p> <p>Please provide instances in which NexGen illustrated reconciliation with ACFN when it comes to rights, respect, cooperation, and partnership.</p>	
475.	ACFN (October 28, 2022)	Section 3.2.1	<p>ACFN is highly active in the project area and practices our treaty rights within the territory and will be affected by the proposed Project. Though the above-mentioned regulatory bodies (CNSC, Government of Saskatchewan) have not identified ACFN as a primary Indigenous group it still does not excuse the lack of adequate consultation.</p> <p>Please provide further references to the selection of priority Indigenous Groups</p>	
476.	ACFN (October 28, 2022)	Section 3.2.1.6	The ACFN’s homelands are mapped along the boundary of the Firebag River south of Lake Athabasca and west of the Project.	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>The map referenced is not part ACFN’s consultation policy. The map referenced shows ACFN priority protection area’s and protecting the Woodland Caribou, barren ground Caribou, and wood bison within the consultation map. The map referenced is not a comprehensive area of ACFN consultation zones.</p> <p>Please provide the rationale for determining ACFN territory without adequate consultation with ACFN</p>	
477.	Métis Nation – Saskatchewan (MN-S) (October 19, 2022)	1.1.1, p. 1-1 to 1-3, Figure 1.1-1	<p>NexGen describes itself as holding a portfolio and shows in Figure 1.1-1 that the locations of the assets are very close to one another. Effects from exploring or developing all of these assets would accumulate. The list of Reasonably Foreseeable Developments (RFDs) included in the draft EIS does not include these other exploration activities.</p> <p>Inclusion of NexGen's exploration activities into the cumulative effects assessment is recommended.</p>	
478.	MN-S (October 19, 2022)	1.1.6, p. 1-12	<p>“Key themes NexGen has heard and addressed include: ...</p> <ul style="list-style-type: none"> • continued, effective, and respectful engagement with the local communities through all phases of the Project, including consideration of valuable feedback; ...” <p>In May 2021, MN-S indicated to NexGen their preferred approach to engaging, which included early (pre-submission) sharing of EIS contents. Sharing of courtesy copies of the draft EIS during the conformity period was another request that MN-S made of NexGen. NexGen chose to work primarily within the formal regulatory process for MN-S' comments on the draft EIS contents, rather than sharing early drafts or courtesy copies. This suggests that NexGen's definition of "continued, effective, and respectful engagement" has not always fully considered MN-S’ perspectives.</p>	
479.	MN-S (October 19, 2022)	1.2.1, p.1-16	<p>"NexGen will continue to prioritize training, employment, and business opportunities for the communities closest to the Project."</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>This statement is aspirational and does not address the specifics of how such economic benefit would be prioritized. CEAA 2012 does not require a detailed and quantified assessment of positive effects, so this text meets regulatory requirements, but does not provide confidence that</p> <p>1) NexGen has indeed been successful on prioritization of training, employment, and business opportunities according to communities' definitions and expectations; and</p> <p>2) NexGen has specific mechanisms in place for prioritizing local economic content.</p>	
480.	MN-S (October 19, 2022)	1.2.1, p.1-17	<p>"In addition to payments to the provincial and federal governments, Benefit Agreements signed with Indigenous Groups include payments based on revenue generated throughout the Project lifespan."</p> <p>As of review of this EIS during August 2022, MN-S had not completed agreements with NexGen. As the Project maps show, the Project is in the heart of the Métis Homeland, and the closest communities to the Project have a majority Métis population.</p>	
481.	MN-S (October 19, 2022)	1.2.2, 1-21	<p>Figure 1.2-2 Regional Area of the Rook I Project</p> <p>Given the figure's title as "regional area," it seems unusual to leave out the boundary of the Clearwater River Provincial Park, whose boundaries appear to overlap with the spatial area shown.</p> <p>Request - Inclusion by NexGen of the boundary of Clearwater Provincial Park in Figure 1.2-2, Regional Area of the Rook I Project</p>	
482.	MN-S (October 19, 2022)	1.2.2-1-23	<p>Figure 1.2-4 Active Mineral Dispositions in the Area of the Rook I Project</p> <p>This map reinforces the concern that NexGen has not included its own exploration activities in the list of Reasonably Foreseeable Developments (RFDs) to be considered as part of the cumulative effects assessment.</p>	

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			<p>NexGen has an active ongoing exploration program related to other deposits in the area, as MN-S is aware of through provincial permit applications that included items such as camp enhancements and an airstrip.</p>	
483.	MN-S (October 19, 2022)	2.3.1, 2-10	<p>"Target specific engagement to Indigenous Groups where NexGen has been informed of their particular interest in aspects of the Project and level of engagement desired."</p> <p>In mid-2021, MN-S shared a document with NexGen that indicated the sequence of engagement activities and expectations for level of engagement on various topics. Several the expectations outlined at that time were not met, such as early sharing of drafts of EIS chapters for discussion and consideration before submission through the formal regulatory process. NexGen's interest in targeting engagement upon request from Indigenous Nations has been somewhat selective.</p>	
484.	MN-S (October 19, 2022)	2.4.2.2.1, 2-23	<p>"... lesbian, gay, bisexual, transgender, queer or questioning, and two-spirit plus."</p> <p>The word "people" appears to be missing from the end of this sentence. In Joint Working Group meetings between MN-S and NexGen, MN-S representative repeatedly indicated concern for various ways in which the company and the camp would be respectful and inclusive to a variety of people and groups. Small things such as word choice have the potential to affect the impression this draft EIS creates for NexGen's inclusivity and genuine value for diversity.</p> <p>Also note that this text appears misplaced within the document structure. Members of the queer community (as well as Elders, youth, etc. and all the groups indicated in the same bulleted list) are not just members of the public, but members of rights-holding Indigenous Nations. Understanding of intersectional, layered identities should be considered in the understanding of Indigenous Nations.</p>	
485.	MN-S (October 19, 2022)	2.5, 2-25 Figure 2.5-1	<p>The use of the International Association of Public Participation (IAP2) spectrum together with the explanatory text is vague and potentially</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>misleading; particularly in indicating that the proponent used a variety of techniques from inform to empower. According to IAP2, a proponent reaches the level of "collaborate" and "empower" when affected groups can influence project outcomes. Collaborating on the agenda for a meeting is not the same as collaborating on detailed mitigation measures for Project impacts.</p> <p>This text also contradicts the text in 1.0 Introduction, which states that NexGen wishes to "consider input" from Indigenous Nations. "Considering input" is firmly at the level of "consult/involve."</p>	
486.	MN-S (October 19, 2022)	2.5.2.1, 2-31	<p>"NexGen has honoured the MN-S request to conduct engagement through MN-S ..."</p> <p>Following the procedures of a rights-bearing Nation's government should not be described as an "honour," nor should MN-S' notification about correct process be viewed as a request. It is simply following MN-S procedure.</p>	
487.	MN-S (October 19, 2022)	2.5.5, 2-37	<p>Incorporation of Indigenous and Local Knowledge</p> <p>"For the purposes of the Project EA, Indigenous Knowledge is specifically defined as information sanctioned (i.e., authoritative permission or approval given) by an Indigenous Group as an official statement, document, or position."</p> <p>This definition does not align with CEAA 2012 guidance on Aboriginal Traditional Knowledge (ATK). Detailed comments on this definition are made in comments on Section 3 Indigenous and Local Knowledge.</p>	
488.	MN-S (October 19, 2022)	2.6.1.1.1, 2-41	<p>"The MN-S paused their participation in Joint Working Groups in December 2020 and reengaged in May 2021 with a restructured Joint Working Group membership that included a combination of new members and existing members from the original Joint Working Group. As part of this restructuring process, the MN-S communicated in early May 2021 that a two-month meeting cadence would be their preference, and provided a list of topics of interest for discussion."</p> <p>The reasons for the hiatus have not been documented. In December 2020, MN-S indicated that it was keen to see more technical participation in the</p>	

Number	Source	Reference to EIS, appendix, or TSD	Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)	NexGen Response
			<p>Joint Working Group process. The Joint Working Group was restructured to provide additional technical support to engage with NexGen on the topics of interest. Some of the topics that MN-S noted in May of 2021 were of interest were discussed through the Joint Working Group (e.g., caribou and a revised presentation on the Project Description), as evidenced by the Joint Working Group meeting minutes. Many of MN-S' preferred topics were not discussed through the Joint Working Group. Among the topics not discussed were</p> <ul style="list-style-type: none"> • early contents of baseline studies, • identified effects, and • mitigation measures. <p>As such, the EIS is the first time that MN-S is understanding in detail the work that NexGen has done to understand and manage its impacts.</p>	
489.	MN-S (October 19, 2022)	2.6.1.1.1, 2-42	<p>Table 2.6-3 Joint Working Group Meeting Topics</p> <p>“Information sent” (regarding 2021 Joint Working Group Meeting Topics)</p> <p>Sending information does not constitute collaborative, two-way engagement, which NexGen elsewhere in the draft EIS says it wishes to conduct.</p> <p>Sending documents that cover a variety of communities, such as a PDF entitled “Joint Working Group summaries”, does not indicate that each Nations followed its own sequence of, and approach to, topics covered under the Joint Working Group process.</p>	
490.	MN-S (October 19, 2022)	2.6.1.1.1, 2-43	<p>Table 2.6-3 Joint Working Group Meeting Topics</p> <ul style="list-style-type: none"> • “Baseline studies, • Terrestrial, • Aquatic, • Environmental interactions (i.e., pathways) 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<ul style="list-style-type: none"> • Cumulative effects ...” <p>Identified as not applicable (“n/a”) for MN-S. It is not apparent from Joint Working Group meeting minutes, when fulsome, science-backed conversations on these topics took place through the Joint Working Group with MN-S.</p> <p>Request: Detailed account of the time and forum through which a two-way conversation on the topics listed in Table 2.6-3 Joint Working Group Meeting Topics took place.</p>	
491.	MN-S (October 19, 2022)	2.6.1.1.1, 2-45 Overall organization of the section	<p>This section is organized from the proponent perspective and describes a summary of all activities. It is not organized to allow one Nation to see whether the narrative of how they were engaged is complete and accurate.</p> <p>Request: Organization of Section 2.6.1.1.1 Summary of Joint Working Group by Nation and description of activities on a Nation-by-Nation basis.</p>	
492.	MN-S (October 19, 2022)	2.6.1.2.1, 2-46	<p>“Communities stated that working together with NexGen towards a harmonious and prosperous future is the desired outcome, and communities appreciate the opportunity to discuss the Project and work with NexGen.” It is unclear from existing documentation when NexGen believes MN-S joined with any other Nation to present a joint or collective opinion that it thought reflected “communities”. In fact, during early Joint Working Group processes, MN-S specifically indicated an interest in joining with other Nations to share information regarding the Project. This request was not explored in detail. The collective implication of this statement does not appear to be accurate.</p> <p>Request: Rewording of the text in Section 2.6.1.2.1 to reflect perspectives from individual Nations rather than broad wording that gives the impression it reflects all Nations.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
493.	MN-S (October 19, 2022)	2.6.3.1.1, 2-55	<p>“A series of community information sessions were held in 2019. Subsequent community information sessions planned for late 2021 and early 2022 have not been conducted due to Covid-19 and the ability to maintain the health and safety of participants.”</p> <p>These community information sessions were conducted well before the studies to inform the draft EIS were complete. Community information sessions documented in the draft EIS did not address Project impacts or mitigation measures.</p> <p>Request: Creation of a documented plan for NexGen to engage on the Project’s impacts and mitigation measures while the EIS remains in draft form and before it is finalized. During the time this plan is being developed and implemented, MN-S seeks a parallel process for engagement and forums for MN-S to engage its own citizens and understand their concerns.</p>	
494.	MN-S (October 19, 2022)	2.6.3.1.1, 2-55	<p>“A series of community information sessions were held in 2019. Subsequent community information sessions planned for late 2021 and early 2022 have not been conducted due to Covid-19 and the ability to maintain the health and safety of participants.”</p> <p>Given the large number of Métis citizens in the communities engaged in the 2019 sessions, there is an opportunity through such public engagements to share information on the Project with citizens. While this would not constitute engagement with MN-S as a rights-holding government, it would be a method of sharing information that could help citizens understand the Project. NexGen would not yet have had information to share regarding the Project’s impacts and mitigation measures as the EIS was under completion during 2019, the only time NexGen has undertaken community-facing engagement.</p> <p>Not engaging with potentially affected communities about impacts and mitigation measures, but only engaging on the project description, is not in line with good practice.</p>	
495.	MN-S (October 19, 2022)	2.6.3.1.3, 2-59	Table 2.6-12 Summary of Youth Workshop Survey Responses	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>“What Would You Still Like to Know About the Project?”</p> <ul style="list-style-type: none"> • How it will affect the land • That communities will be kept updated on progress • What happens once the mine closes • Potential effects on water • If there will be potential pollution” <p>This table describing youth engagement in March 2020 lists several concerns and questions regarding the Project and does not describe how NexGen planned to respond to youth with relevant information that addresses these fears.</p>	
496.	MN-S (October 19, 2022)	2.6.3.1.8, 2-61	<p>“Key newsletter content included a Project overview and key Project components, commitment to protection of people and the environment, community programs, education and training requirements, jobs and opportunities, and next steps in the EA process.”</p> <p>This list of topics does not appear to include anticipated Project effects and mitigation measures, as well as other topics that are part of the EIS.</p>	
497.	MN-S (October 19, 2022)	2.6.3.1.8, 2-61	<p>“As the La Loche office has regular business hours, it also allows community members to engage at a time of their convenience.”</p> <p>Regular business hours are typically Monday to Friday, 9–5. These hours can be inconvenient for many people, including individuals with regular work commitments and those with ongoing caregiving responsibilities that do not allow them to easily drop into an office during working hours, when other family members who could fill in as caregivers may be working. If NexGen has tried to make itself available on an ongoing basis to working people and those with caregiving responsibilities, this would support NexGen’s claims</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			elsewhere in this chapter that it supports engagement with a diversity of people.	
498.	MN-S (October 19, 2022)	2.7.1.1, 2-64 General comment on text under this heading	The content in this section does not indicate topics for engagement, timing, frequency, or approach.	
499.	MN-S (October 19, 2022)	2.7.1.1, 2-64	<p>“Items for discussion will be based on activities in progress, as well as any specific items of discussion requested by Indigenous Groups.”</p> <p>This description of the Joint Working Group process does not align with the fact that NexGen has already declined MN-S’ request to discuss baseline findings, project effects, and mitigation measures before the EIS was submitted. MN-S has already made requests to discuss certain topics through the Joint Working Group process that have not been met. Additional detail would be needed to add confidence as to how NexGen would engage according to MN-S’ requests.</p>	
500.	MN-S (October 19, 2022)	2.7.1.1, p. 2-64	<p>“The Benefit Agreements include commitments to establish processes for regular communication and information exchange between NexGen and each Indigenous Group.”</p> <p>Repeat comment that this aligns with the “inform” level on the IAP2 spectrum. Other places on the IAP2 spectrum involve some degree of shared level of control over Project decisions. This use of language is at odds with use of language elsewhere in the Application that indicates NexGen seeks to collaborate.</p> <p>Also repeat comment that MN-S does not have a benefit agreement in place with NexGen, and as such this engagement approach is not applicable to all Nations.</p> <p>Request: Replacement of the generalized Benefit Agreement content in Section 2.7.1.1 with detailed, Nation-by-Nation information on engagement approaches</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
501.	MN-S (October 19, 2022)	2.7.1.3, p. 2-65	<p>“Along with the prospect of future youth workshops, NexGen will explore opportunities for future women’s and men’s workshop to enable more opportunities for community members to engage on the Project.”</p> <p>This commitment is vague, aspirational, and does not include specific information about when and how engagement would take place. There is also no indication that community feedback was incorporated into NexGen’s comments that it aspired to hold these workshops.</p>	
502.	MN-S (October 19, 2022)	2.7.1.3, p. 2-65 Global comment on text under this heading	<p>The list of engagement techniques leans heavily on “inform” level activities according to the IAP2 spectrum, which is not good practice and does not align with NexGen’s stated aims to collaborate.</p>	
503.	MN-S (October 19, 2022)	2A, p. 14	<p>Table 2A-2 Métis Nation – Saskatchewan</p> <p>“Introductory meeting for the Joint Working Group including ... Indigenous Knowledge in the EA”</p> <p>In the October 2019 Joint Working Group meeting, MN-S leaders from NR2 shared their perspectives on what Indigenous Knowledge is. Although NexGen’s minutes of this meeting indicate that NexGen was cognizant of these perspectives, NexGen chose to define Indigenous Knowledge as “information sanctioned (i.e., authoritative permission or approval given) by an Indigenous Group as an official statement, document, or position”. The study agreement indicates that the purpose of the Joint Working Group was to “support the inclusion of Métis Knowledge” but does not define the Joint Working Group as the place where any knowledge shared or exchanged may be considered Indigenous Knowledge. The study agreement between NexGen and MN-S does not define Indigenous (or traditional or Métis) Knowledge the way NexGen has done in the EIS. The study agreement says of traditional knowledge: “NexGen acknowledges that some of the information shared by the MN-S may be considered as Métis or Traditional Knowledge and may be sensitive or proprietary to the MN-S and NexGen is committed to protecting</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>this information.” According to the study agreement, the Joint Working Group was the intended vehicle through which conversations on OCAP® could be held.</p> <p>By unilaterally defining Indigenous Knowledge in the EIS, NexGen has sidestepped OCAP® principles and is not operating in the spirit of the study agreement.</p>	
504.	MN-S (October 19, 2022)	2A, p. 23 Table 2A-2 Métis Nation – Saskatchewan	<p>10 November 2021, multiple methods “NexGen ... would be reviewing the Joint Working Group meeting outline document provided by the MN-S in May 2021 in advance of the next meeting to share an update on available presentation materials.”</p> <p>This commitment to reviewing MN-S expectations for engagement six months after they were shared, and four months before NexGen was originally planning to submit the EIS, suggests that NexGen was not sufficiently serious about taking on MN-S’ feedback about when, how, and on what it expected to be engaged, including on understanding effects and mitigation measures before the EIS was submitted.</p>	
505.	MN-S (October 19, 2022)	2A, p. 23 - Table 2A-2 Métis Nation – Saskatchewan	<p>13 December 2021</p> <p>“NexGen advised ... there was a large amount of funding remaining”</p> <p>The remaining funding under the technical agreement was specifically earmarked for the TLUS and the traditional food study, both of which were important to MN-S.</p> <p>It was not appropriate to redirect those amounts for general technical support on engagement. MN-S noted as much in subsequent conversations with NexGen, a fact which is not noted in the engagement record and may be considered a gap.</p>	
506.	MN-S (October 19, 2022)	2A, p. 23 to 24 - Table 2A-2 Métis Nation –	<p>Engagements 17 December 2021 through 15 February 2022</p> <p>Through these various emails, letters, and video conferences, NexGen documents its desire to engage on Project effects (17 December 2021) despite</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Saskatchewan	<p>having been told on 1 December 2021 that there was an absence of capacity funding to support engagement. This expression of interest to engage took place after MN-S informed NexGen that a key staff member, who was 50% of the Duty to Consult team and the team’s only senior member, was on personal leave until January.</p> <p>This exchange over December through February further supports the conclusion that NexGen was happy to choose moments for dialogue if such moments suited NexGen’s intended EIS submission schedule.</p>	
507.	MN-S (October 19, 2022)	2B, all Global comment on structure and content of table.	<p>Table 2B-2: Summary of Issues Identified by Métis Nation – Saskatchewan</p> <p>The columns marked “How Addressed in EIS” and “Summary of Response” effectively say repeatedly, “NexGen studied this topic in the EIS”. They are not responses to the issue statements such as concern about effects of dust on vegetation and wildlife. Responses to issues regarding effects should discuss the presence or absence of effects, rather than responding “we studied whether there were effects”.</p> <p>MN-S requests that NexGen Revise Table 2B-2 issues table to provide substantive answers to the issues, rather than pointing readers to other locations in the EIS where the issue response is.</p> <p>MN-S also requests that NexGen include internal document hyperlinks to the locations in the EIS where responses are contained, as a courtesy to readers who are investing time in understanding the Project.</p>	
508.	MN-S (October 19, 2022)	2E, all Global comment on community information sessions	<p>Community information sessions well in advance of EIS submissions on the Project and its general philosophy are a good practice, but they are not the only good practice when used as a precursor for engagement on Project effects and mitigation measures, which have not yet taken place.</p>	
509.	MN-S (October 19, 2022)	3.1.1, p. 3-4 Inclusion of Indigenous and Local	<p>References to IAAC 2020a and BC EAO 2020.</p> <p>The <i>Impact Assessment Act</i> (2019) and revitalized <i>BC Environmental</i></p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Knowledge in the Environmental Assessment General Context	<p><i>Assessment Act</i> (2018) provide guidance on the use of Indigenous Knowledge that is fulsome, iterative, and pervasive throughout the EA process and an EIS document. These pieces of legislation are much more robust and up to date than CEAA 2012 and Saskatchewan provincial processes for environmental assessment.</p> <p>NexGen has omitted key concepts of IAA 2019 and EAA 2018 such as consent, consensus-seeking, and Indigenous self-determination, which are the cornerstones of IAA 2019 and EAA 2018. EAA 2018 also indicates that proponents are not able to define Indigenous Knowledge in ways of its choosing, so this is a particularly problematic inclusion.</p>	
510.	MN-S (October 19, 2022)	3.4.1, p. 3-16 Defining Indigenous and Local Knowledge	<p>Defining Indigenous Knowledge (all text) Proponent again refers to IAA 2019 and implies that it will be guided by it, without considering the key aspects of IAA 2019 such as incorporating Indigenous Knowledge throughout the EA process and EIS document. This should be removed, as it implies that NexGen is meeting all, rather than part, of IAA 2019 expectations. Alternatively, NexGen should apply IAA 2019 consistently throughout its EIS and agree to comply with it</p>	
511.	MN-S (October 19, 2022)	3.4.1, p. 3-16 Defining Indigenous Knowledge	<p>"For the purposes of the EA, Indigenous Knowledge is specifically defined as information sanctioned (i.e., authoritative permission or approval given) by an Indigenous Group as an official statement, document, or position."</p> <p>This definition does not align with the CEAA 2012 guidance on Aboriginal Traditional Knowledge. Applying a definition this broad gives NexGen an opportunity to include any information from Nation-approved meeting minutes and label it "Indigenous Knowledge". This would allow NexGen to credibly state that it has included Indigenous Knowledge "throughout the assessment". However, many of the comments made by members of MN-S in Joint Working Group meetings relate to topics such as jobs, the legacy of Cluff Lake, and safety on Project roads. Topics such as these are not Indigenous Knowledge.</p>	
512.	MN-S (October 19, 2022)	3.4.1, p. 3-18 Defining Indigenous	"In summary, Indigenous Knowledge can generally be understood as the	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Knowledge	<p>unique and collective knowledge of a group of Indigenous People that is built up through generations of living in close contact with the land and natural environment..." etc. to end of paragraph.</p> <p>This definition is inconsistent with the definition of Indigenous Knowledge elsewhere in the EIS.</p>	
513.	MN-S (October 19, 2022)	3.6.1, p. 3-22	<p>"Community-based protocols and procedures should be understood, respected, and followed."</p> <p>This is a good practice. It would also be a good practice to engage in dialogue with communities on what these protocols and procedures are. An example of that would be engaging with MN-S through the Joint Working Group on their preferred approaches to how Indigenous Knowledge is reflected in the EIS.</p>	
514.	MN-S (October 19, 2022)	3.6.1, p. 3-23	<p>"Confirm informed consent"</p> <p>This is a good practice. It would also be a good practice to engage in dialogue with communities and confirm informed consent on the ways in which the Traditional Land Use Study (TLUS) was to be used in the assessment, and to confirm that this was understood and acceptable, following OCAP principles.</p>	
515.	MN-S (October 19, 2022)	3.6.2, p. 3-24 Reference to community information sessions	<p>Community information sessions were not Nation-specific. They took place in communities that have a high percentage of Indigenous citizens. By referring to these information sessions together with Joint Working Groups, the first paragraph under Section 3.6.2.1 gives the impression that any feedback given in these information sessions may have constituted Indigenous Knowledge. These may be considered local knowledge only and should be indicated as such.</p>	
516.	MN-S (October 19, 2022)	3.6.2.1, p. 3-24 <i>Gathering Indigenous and Local Knowledge</i>	<p>"NexGen presented a preliminary list of VCs ..." during joint working group meetings in 2019 and 2020.</p> <p>Based on minutes of these meetings, this is an accurate statement. Based on minutes of a Joint Working Group meeting dated January 2021, presenting VCs without western science advice was not well received by MN-S.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
517.	MN-S (October 19, 2022)	3.6.2.1, p. 3-25 <i>Gathering Indigenous and Local Knowledge</i>	<p>"The IKTLU Studies were generally completed and shared with NexGen between December 2019 and December 2020 These IKTLU Studies were reviewed for applicable Indigenous Knowledge and to identify and confirm effects pathways for biophysical and socioeconomic intermediate components and VCs."</p> <p>The word "applicable," is vague, subjective, and/or potentially aligned with NexGen's definition of Indigenous Knowledge, which is problematic and unilateral.</p>	
518.	MN-S (October 19, 2022)	3.6.2.1, p. 3-25 <i>Gathering Indigenous and Local Knowledge</i>	<p>"A total of 78 KP interviews were conducted with community members, primarily through telephone unless another method was requested. Interviews were completed with business owners, principals and staff of schools, housing clerks, health care directors, band councillors, and the RCMP."</p> <p>Again, mixing the conversation regarding Indigenous Knowledge and local knowledge gives the impression that a data collection opportunity with an RCMP officer may have been Indigenous Knowledge.</p> <p>Indigenous and local knowledge should be described separately. Also, the draft EIS should describe OCAP[®] processes related to KP interviews so that readers are aware of the ways in which NexGen sought and obtained informed consent for Indigenous Knowledge collection and use, where applicable. Otherwise, it appears that NexGen is attempting to seek extra Indigenous Knowledge credit for doing primary data collection for its socioeconomic work.</p>	
519.	MN-S (October 19, 2022)	3.7.3, p. 3-34 Summary of Influence on Project Design	<p>Table 3.7-1 Indigenous and Local Knowledge Key Influence on Project Design</p> <p>"Inclusion of a dedicated space for Elders on site to be available to support Indigenous employees"</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			This is a good practice and reflects an affirmative response to MN-S interest in and request for such an arrangement. Available space is one part of facilitating workers' access to Elders for their wellbeing. Other aspects of facilitating access to Elders have not been documented here.	
520.	MN-S (October 19, 2022)	3.8, p. 3-36 Influence on the Environmental Assessment	<p>Table 3.8-1 Incorporation of Indigenous and Local Knowledge in the Environmental Assessment</p> <p>Comment on structure and content of table This table combines local and Indigenous Knowledge. This does not allow an understanding for rights-bearing Indigenous Nations as to how their Indigenous Knowledge was specifically placed within the context of the assessment.</p>	
521.	MN-S (October 19, 2022)	3.9, p. 3-40 Use of Indigenous and Local Knowledge through the Project Lifespan	<p>"Initial conversations regarding the Decommissioning and Reclamation Plan were held during Joint Working Group meetings in February 2020 and March 2021"</p> <p>MN-S is missing from the references here.</p>	
522.	MN-S (October 19, 2022)	4.1, p. 4-1	<p>Introduction "The assessment of alternatives has been informed by ... (including Indigenous Knowledge) ..."</p> <p>This statement is problematic given the misalignment between NexGen's definition of Indigenous Knowledge provided in Section 3 Indigenous and Local Knowledge (3.4.1, p. 3-16), good practice related to Indigenous Knowledge, and MN-S' definitions of Indigenous Knowledge provided through Joint Working Group meetings. The assessment of alternatives can be adequately informed by Indigenous Knowledge when conversations around Indigenous Knowledge include MN-S' views.</p>	
523.	MN-S (October 19, 2022)	4.4.2.1, p. 4-11 to 4-13 <i>Input from Indigenous Groups and the Public - All content of this</i>	As mentioned elsewhere in this review, wording that describes engagement with all Indigenous Nations as though it were consistent prevents a Nation-by-Nation understanding of issues and engagement.	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		section		
524.	MN-S (October 19, 2022)	4.4.2.1, p. 4-11 to 4-13 <i>Input from Indigenous Groups and the Public - All content of this section</i>	TWC notes that engagement on the criteria documented on p. 4-11 to 4-13, and fulsome, science-based conversation on how the alternatives compare, does not appear to have taken place as a dialogue through the Joint Working Group process, according to the Joint Working Group minutes. The alternatives analysis was an activity that NexGen undertook without involving MN-S, although NexGen on various occasions did discuss the outcomes of key choices such as tailings storage.	
525.	MN-S (October 19, 2022)	5.2.1, p. 5-11 Project Environs	“Approximately 92 active mineral dispositions, issued to twelve companies, exist within the general area of the proposed Project.” (Figure 5.2-2) In Section 20, cumulative effects assessment, the only project referenced was Fission’s Patterson Lake Project.	
526.	MN-S (October 19, 2022)MN-S	5.3.2, p. 5-30	“... Preliminary Decommissioning and Reclamation Plan ...” No indication when this will be done — before or after the EIS is finalized.	
527.	MN-S (October 19, 2022)	5.4.7.1, 5-77 Camp Facilities and Utilities	“The camp would provide semi-private spaces, such as individual rooms for workers that would be shared on a rotating basis,” This needs to be clarified. Does this mean one room shared between two (2) people, without time overlaps?	
528.	MN-S (October 19, 2022)	5.4.7.4, 5-78 Airstrip and Airstrip Infrastructure	Any special arrangements for animal deterrence from wondering onto runway? What is purpose of airstrip? Given limited passenger capacity (40-50), will it be used to transport workers given the stated intention to use the Buffalo Narrows Airport (5-109). Is the airstrip needed?	
529.	MN-S (October 19, 2022)	5.6.1, p. 5-108, 5-109	“NexGen is currently considering using the Buffalo Narrows Airport as a pick-up point.” Drive-in/drive-out staff, assumes airstrip is operational” (Table 5.5-5).	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			Add detail on transport of employees. Busing to site after pickup in Buffalo Narrows. Inconsistent with Table 5.5-5.	
530.	MN-S (October 19, 2022)	5.6.1, p. 5-110	<p>“working with local communities to develop culturally sensitive employment policies ...”</p> <p>Does this include cultural sensitivity training during on-boarding, including MN-S participation in developing training materials?</p> <p>“using best efforts to provide qualified local residents ...”</p> <p>Will best efforts include support measures to facilitate the ability to work 2 weeks in and 2 weeks out such as family support measures for those at home? Daycare? Special employment considerations for harvesting? Ability to drive back and forth from La Loche daily rather than reside in camp? If so, is this in traffic estimate?</p>	
531.	MN-S (October 19, 2022)	5.6.2, 5-111 Training	Table 5.7-1 Will employment monitoring, tracking, and reporting local employment levels against the 75% objective be added to the table?	
532.	MN-S (October 19, 2022)	6.1, p. 6-1 Regional Area of the Rook I Project	<p>Commenting on missing items in regional map</p> <p>Map Omissions: Athabasca Basin is labelled but the basin to the south is only labelled as wooded area.</p> <p>Regional maps generally feature other activities, developments, etc. in the area for cumulative effects purposes. Map should be updated to align with a complete list of reasonably foreseeable projects, including requested changes to the list of projects included in the cumulative effects assessment</p>	
533.	MN-S (October 19, 2022)	6.2, p. 6-8 Incorporation of Indigenous Knowledge	<p>“General concerns (e.g., Project effects on water) ...”</p> <p>This paragraph might be better placed in 6.3 Assessment Scoping.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
534.	MN-S (October 19, 2022)	6.6, p. 6-22 Existing Conditions Characterizations	<p>“Information used to support the description of existing conditions also included available Indigenous and Local Knowledge from engagement and IKTLU Studies, ...”</p> <p>This statement implies the bias where Indigenous Knowledge was integrated into western science. This may have introduced an unintentional bias in the characterization as critical information may have been missed since Indigenous Knowledge followed on the characterization by western science. Was a cross-check of the contents of the existing conditions description completed starting with Indigenous Knowledge?</p>	
535.	MN-S (October 19, 2022)	6.8.1, p. 6-27 Project Effects (Application Case)	<p>Other measurement indicators, such as community cohesion ... qualitative data ... relied upon to complete the analysis.</p> <p>With respect to qualitative data, Joint Working Group Meeting minute notes do not show that engagement was a multi-step process where the qualitative data was collected, interpretation confirmed, and analysis checked with the Métis. This is a gap against good practice.</p>	
536.	MN-S (October 19, 2022)	6.8.2, p. 6-28 Cumulative Effects from Reasonably Foreseeable Developments Case	<p>The section would benefit with the addition of a list of the RFDs and the potential adverse effects being assumed. Please see comments elsewhere in the document</p>	
537.	MN-S (October 19, 2022)	Section 6.9.1 and 6.9.2	<p>The residual effects classification likely will not be easily adaptable for human environment conditions. Are there variations for the human environment? The Significance Determination (6.9.2) section refers to socio-economic context assessment of resilience which would be based on the residual effects classification.</p> <p>NexGen should confirm that the residual effects classification as described under sections 6.9.1 and 6.9.2, p. 6-29 and 6-32, be modified and shown to be appropriate to quantify and qualify residual effects on humans such as</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			economy, traditional economy, etc. Please provide examples that describe how the classification would work in this case. For indirect effects such as those on traditional economy, also provide an example of how the residual effects would be described.	
538.	MN-S (October 19, 2022)	6.11, p. 6-35 Monitoring, Follow-up, and Adaptive Management	<p>The process for determining when, how, and where to use ... Integrated Management System Manual.</p> <p>Integrated Management System Manual has not been provided for review.</p>	
539.	MN-S (October 19, 2022)	8.2.5, p. 8-14 Assessment Cases	<p>A combined case considering cumulative groundwater impacts from nearby future developments (i.e., Fission’s neighboring property) was not considered since changes to groundwater indicators were not predicted to overlap.</p> <p>The predicted groundwater drawdown area impacted from mining at the Project extends 2 to 4 kilometers (km) from Project site. However, it is not clear how far drawdown from neighboring future development will extend and if the drawdown areas will overlap or cause impacts.</p> <p>It is unknown if this is considered in other EIS sections, or if data is available to evaluate this</p>	
540.	MN-S (October 19, 2022)	<p><i>Groundwater Elevations</i> 8.2.6.3, p. 8-17</p> <p><i>Bedrock</i> 8.3.3.1, p. 8-26</p>	<p>It is unclear which unit bedrock groundwater elevations were measured in, and if the different hydrostratigraphic units were considered together or separately.</p> <p>The terminology used is unclear, as it appears that bedrock and basement can both be used interchangeably to refer to the meta-gneiss/granitoid “basement” units. Bedrock also appears to be used to refer to all strata below glacial drift, including the basement, Athabasca sandstone units and the Devonian/Cretaceous rock units.</p> <p>The groundwater elevation differences between bedrock units (i.e., basement, sandstone and Devonian/Cretaceous rocks) are not well laid out, and it is unclear what the groundwater flow patterns in and between these units are.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
541.	MN-S (October 19, 2022)	8.3.4.1, p. 8-41 <i>Bedrock</i>	<p>Athabasca sandstone is identified as the main bedrock aquifer, but this is based on relatively few in situ tests compared to the basement rocks. It is also not specified if there are fault or shear zones within the sandstone that may affect groundwater flow. This author is in general agreement that the sandstone is the main bedrock aquifer unit, but the small number of test data may limit the understanding of groundwater flow within this unit.</p> <p>It is also not clear if structure-controlled flow is relevant within the sandstone since there is no mention if the fault and shear zones identified in the basement rocks extend into the sandstone unit.</p>	
542.	MN-S (October 19, 2022)	8.4, p. 8-51 Project Interactions and Mitigations (8.4) 8.5.1.1.2, p. 8-58 Groundwater Flow Patterns and Rates (8.5.1.1.2)	<p>It is unclear if the pathway of seepage from the UGTMF was considered during the construction and operation phase. It appears that only seepage from WRSA was considered during the operation phase.</p> <p>It appears that the UGTMF was excluded because mine dewatering and seepage will be collected and managed during operations which would effectively remove the pathway, but it is unclear if this pathway was even considered in a formal sense.</p>	
543.	MN-S (October 19, 2022)	8.5.1.1.2, p. 8-58 Groundwater Flow Patterns and Rates	<p>The analysis assumes that water collected, treated and discharged from underground mine workings to Patterson Lake balances the change in baseflow in the lake. This assumes a direct hydraulic connection between Patterson Lake and the underground mine workings, which is not clearly supported by data.</p> <p>Water quality from the basement rocks indicated “old” groundwater and is not representative of Patterson Lake water quality. In addition, cross sections presented in Figures 8.3-2¹ and 8.3-3², interpret glacial drift sediments to be underlying Patterson Lake.</p>	

¹ EIS, Section 8, p. 8-29.

² EIS, Section 8, p. 8-30.

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			This assumption may be further explained in sections presenting the water balance for the Project, but these sections are not referenced; therefore, it is unclear what this assumption is founded on.	
544.	MN-S (October 19, 2022)	8.5.1.2, p. 8-63 Solute Mass Loading Rates to Patterson Lake	<p>Table 8.5-1 Simulated Peak Solute Mass Loading Rates</p> <p>The predicted solute mass loadings to Patterson Lake are presented, but it is unclear over what timeframe these values represent or after what duration negative impacts are predicted to occur.</p> <p>The timeframe for predictions would help understand the effects to Patterson Lake water quality, as it is expected that different constituents of concern will have different timelines based on source concentration and flow path.</p> <p>It is unknown if this is discussed further in other EIS sections.</p>	
545.	MN-S (October 19, 2022)	8.5.1.2.3, p. 8-65 Climate and Natural Disturbance Factors	<p>The climate change analysis is qualitative and high level. Qualitative analysis may be acceptable based on level of data available but the assumption that increased precipitation will be balanced by increased evapotranspiration may be too simplistic, especially when considering the effectiveness of an engineered cover system to reduce solute transport from the WRSA over the long term.</p> <p>Monitoring programs do not appear to consider climate change impacts.</p>	
546.	MN-S (October 19, 2022)	8.5.2.1, p. 8-66 <i>Groundwater Quantity</i>	<p>Residual effects were predicted for groundwater flow pathways that were certain and permanent, but the specific effects are unclear.</p> <p>This may be explained further in the hydrology assessment EIS section, but they are not clearly stated in this section. It is hard to evaluate the proposed monitoring programs since the effects are not explicitly stated.</p> <p>Additionally, the residual effects analysis predicted a negative change for groundwater elevation but a neutral change for groundwater flows and directions. Groundwater elevation drives groundwater flow and direction.</p> <p>Again, since effects were not explicitly stated, it is unclear if these statements can be verified.</p>	
547.	MN-S	8.5.2.1, p. 8-66	Key findings state that water from the UGTMF and stope backfill sources	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
	(October 19, 2022)		<p>flow upward through faults and shear zones in the basement and then horizontally through the Athabasca sandstone before discharging into Patterson Lake.</p> <p>It is unclear, however, if Patterson Lake is connected to the sandstone.</p> <p>Cross sections presented in Figures 8.3-2 and 8.3-3 show Patterson Lake underlain by glacial drift sediments.</p>	
548.	MN-S (October 19, 2022)		Several facets of analyses presented in the EIS rely on modelling completed to estimate long term baseline stream discharge at various nodes throughout the Project site. The modelling is calibrated based on a brief period of record from stations that appear to extrapolate beyond the measured ranges of the stage-discharge rating curves. A key question to the proponent is to address the confidence of modelling completed based on extrapolated estimates from measured data. As an example, hydrometric gauging station CR-WC-MS-01 is reported in the baseline monitoring annex as having a maximum measured flow rate of 0.631 m ³ /s and a maximum estimated flow rate of 0.800 m ³ /s. Stage-discharge rating curves are typically exponential which can lead to large errors when used for extrapolation and any subsequent model calibration using those data would influence the modelled data used for further analyses.	
549.	MN-S (October 19, 2022)		The proponent indicates that some hydrometric gauging stations were backwatered, presumably by downstream influence (ex. Station CR-WC-TI-02). How were the hydrographs adjusted during known periods of backwater (i.e., what decision criteria were incorporated to shift the water levels)? Backwater can also be generated during periods of ice cover. The water level data provided by the proponent appear to not be influenced by ice. Do most hydrometric stations at the site remain ice free throughout the year? If not, were the water levels corrected to remove ice cover influence?	
550.	MN-S (October 19, 2022)		At station CR-WC-TI-01 the stage-discharge curve follows an irregular form. Use of this rating curve may result in substantial errors for future flow rate predictions. Is monitoring on-going to add additional data measurement points?	
551.	MN-S (October 19, 2022)		Were any analyses completed to confirm that Douglas River near Cluff Lake (Station number 07MA003 operated by Water Survey Canada) was a	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			reasonable proxy to represent long term hydrological conditions for the Project?	
552.	MN-S (October 19, 2022)	10.8, 10-127 Key Findings	<p>“Water quality COPC concentrations in the far-future projection indicate that cobalt and copper may exceed the threshold for water quality in the receiving environment downstream of the Project ...”</p> <p>This section indicates that the copper and cobalt levels could be resolved through mitigation, but it is not clear what that mitigation might be.</p>	
553.	MN-S (October 19, 2022)	11.2.2.1, p. 11-13 to 11-15, 11-17	<p>Table 11-2.1: Species Considered for Selection as Valued Components</p> <p>Burbot was not one of the four (4) fish species selected as Valued Components (VCs) for assessing the effects of the Project on fish and fish habitat.</p> <p>The EIS states burbot were excluded because they were mentioned infrequently by communities during engagement, and because they occupy niches that overlapped with other VC species chosen; namely, lake trout (pelagic predator) and lake whitefish (bottom dwelling species, and prey species).</p> <p>It is because of this overlap, and other aspects of the burbot—a winter spawner that spends adult life more resident in its preferred habitat than either lake trout or lake whitefish—they occupy a unique niche in the aquatic environment. Larger burbot are a predator species that eat fish while younger burbot tend to eat insects. Smaller burbot can be a prey species for some larger fish species. Adults are a night predator and often move into the littoral zone to feed.³ Burbot also have a proportionately larger liver than other fish, a physiological difference.</p> <p>Burbot ‘s unique physiology, use of habitat, and feeding habits have the potential to contribute more fully to baseline information and knowledge gaps for this EIS.</p>	

³ Tallman, R. F., Tonn, W. M., Howland, K. J., Antoniuk, K., Lapine, D., MacDonald, F., Tourangeau, S., Unka, D., Unka, T. (1996) *Life History Variation of Inconnu (Stenodus leucichthys) and Burbot (Iota Iota), Lower Slave River, June to December 1994*. (Report number 118). Northern River Basins Study Project. [0-662-24656-X.pdf \(barbau.ca\)](#), p. 33.

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
554.	MN-S (October 19, 2022)	11.3.4, p. 11-60 Fish Communities	<p>Table 11.3-2 Summary of Fish Species Captured in the Local and Regional Study Areas</p> <p>Burbot were documented to be a common and well distributed fish species in the sampling program, being captured in all but two (2) waterbodies and watercourses (Clearwater River above Beet Lake, and Clearwater River below Beet Lake), so burbot are present in most (if not all) of the aquatic study area.</p>	
555.	MN-S (October 19, 2022)	11.5.2.2, p. 11-125 <i>Summary of Ecological Risk Assessment</i>	The Ecological Risk Assessment (EcoRA) predicted elevated copper concentrations to exceed surface water quality in Patterson Lake, North Arm - West Basin. It states that the most sensitive endpoints for chronic copper exposure would include the growth of benthic invertebrates, the reproduction of zooplankton, and growth and reproduction of forage fish—represented by lake whitefish.	
556.	MN-S (October 19, 2022)	11.5.2.4.1, p. 11-128 Effects on Habitat Availability	If there were changes in the lower trophic levels, there could potentially be changes up the food chain to higher trophic levels.	
557.	MN-S (October 19, 2022)	11.5.2.4.3, p. 11-130 to 11-131 Effects on Survival and Reproduction	<p>The EIS states because large-bodied fish (such as lake whitefish) are mobile, it may be unlikely most individual fish would be exposed to maximum copper concentration in sediments for extended periods. It is predicted that limited effects may occur but are not likely for survival and reproduction of fish VCs.</p> <p>Burbot, on the other hand, are more sedentary, moving smaller distances and may spend more time in an area with copper in the sediments.</p> <p>Lake whitefish (<i>Coregonus clupeaformis</i>) is an inadequate and inappropriate representation of burbot (<i>Lota lota</i>) as a Valued Component (VC) through which to assess the effects of the Project on fish and fish habitat</p>	
558.	MN-S (October 19, 2022)	11.5.4.2, p. 11-138 Significance Determination	Lake whitefish were the forage fish considered in the VC of the EcoRA and effects due to direct exposure to copper in the water column are not expected	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>for predator fish⁴ and are considered unlikely for forage fish.⁵</p> <p>Burbot feeding and habitat use show them to be bottom dwelling and both a prey species (when smaller), and predator species. So, it cannot be assumed that burbot occupy the same niche as lake trout or lake whitefish and will potentially retain COPCs (Copper if that is the long-term concern, or other COPCs) in the same manner, concentration, or proportion</p>	
559.	MN-S (October 19, 2022)	11.5.4.2, p. 11-138, 11-140 Significance Determination	<p>The EIS states predicted effects are irreversible before the end of the modelling timeframe and are therefore considered permanent. Maximum copper concentrations are anticipated to occur during limited periods (dry climate years).</p> <p>It is acknowledged that this is a reasonable approach, however a species such as burbot, with different aquatic habitat uses and feeding patterns, could bioaccumulate COPC's differently than the species chosen and even potentially more than other species for some COPCs because of their larger liver.</p> <p>The Albert Northern River Basin Study (NRBS) collected baseline COPC's in burbot tissue and liver. Part of the justification for the inclusion of burbot in the contaminant study was because burbot move less than other fish species.⁶ Staying within a given habitat for longer periods increases the likelihood of issues with contaminant build up. Burbot undertake one brief seasonal movement mid-winter for spawning compared to the longer, more complex movement patterns and habitat use of other fish species studied.⁷</p> <p>Including burbot would add value by doing two things:</p> <ol style="list-style-type: none"> i. It would allow for another layer of contaminant baseline to be documented throughout the study area and may be valuable to the 	

⁴ Lake trout, northern pike, and walleye were chosen to represent predator fish.

⁵ Lake whitefish.

⁶ Lockhart, W. L., Metner, D. (1996). *Analysis for Liver Mixed Function Oxygenase in Fish – Peace, Athabasca and Slave River Basins, September to December, 1994* (Report No. 132). Northern River Basins Study Project. [0-662-24709-4.pdf \(barbau.ca\)](#), p. 47.

⁷ Tallman, R. F., Tonn, W. M., Howland, K. J., Antoniuk, K., Lapine, D., MacDonald, F., Tourangeau, S., Unka, D., Unka, T. (1996) *Migration of Inconnu (Stenodus leucichthys) and Burbot (Iota Iota), Slave River and Great Slave Lake, June, 1994 to July, 1995*. (Report No. 117). Northern River Basins Study Project. [0-662-24656-X.pdf \(barbau.ca\)](#), p. 1, 26, 34.

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>company to show that future changes are regional and not mine site specific.</p> <p>ii. Burbot may also show changes sooner than other fish species simply because they move less and stay in an area longer which potentially exposes them to contaminant in a different way than lake trout or lake whitefish.</p> <p>Burbot should be considered for testing to get baseline information regarding their existing COPC levels. Also test burbot several years following (project scientist can suggest frequency of revisiting the sampling effort).</p>	
560.	MN-S (October 19, 2022)	11.4.1, p. 11-75, p. 11-80 No Pathways	<p>The temperature of the effluent, when released, is not expected to increase water temperature; less than 1°C increase at edge of regulated mixing zones. However, because a temperature increase is expected:</p> <p>Q1. Will mixing zone/diffuser heat create a thermal refuge and attract fish (thus spending more time in the effluent zone)? Will some fish spend more time in this mixing zone if it has a buffered temperature regime (likely winter use)?</p> <p>Q2. Is the volume of water being released through effluent into the lake enough that it could affect temperature refuge type habitat for lake trout over the lifespan of the mine?</p> <p>Rational for question: lake trout use cold water zones in lakes as thermal refuge, particularly during warmer summer periods. Could warmer water released, over the lifetime of the operation, potentially decrease the volume of the lake’s thermal refuge for lake trout? Is there potential for climate change (likely causing lakes to warm in northern regions such as this), in combination with the warmer effluent, to affect lake trout habitat sooner than if climate change was not the only influence on lake temperatures?</p> <p>If effluent temperature has an area of influence that increase lake temperature locally in Patterson Lake, it may</p> <p>i. attract fish into spending more time closer to the effluent mixing</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p align="center">area; and</p> <p>ii. decrease the area (volume) of colder, refuge habitat available for Lake Trout to spend summer months.</p>	
561.	MN-S (October 19, 2022)	11.4.2, p. 11-114 to 11-115 Secondary Pathways	<p>The EIS makes no mention of aquatic invasive species (AIS).</p> <p>Mine site activity (construction and operation) will bring construction equipment from down south, and potentially from out of province. There is risk of AIS movement with all equipment, particularly if there is no policy or requirement to clean equipment before moving used equipment to site. With increased access to area (recreational users are a potential source of AIS), how will waters be monitored for AIS during the life of the mine, until the area is decommissioned?</p> <p>NexGen’s consideration to implement a policy to prohibit or restrict employees and contractors from fishing on project site and along the existing access road while on rotation or residing in camp is one possible step toward preventing the introduction of AIS to the area.</p> <p>Another step NexGen mentions is bringing workers to site by bus or by air to limit personal vehicles travelling to and being on the site. It would be relatively simple to have a veliger sampling program (assuming zebra mussels would be the species to target) on lakes to which mine development has improved access.</p> <p>Some acknowledgment of the mine development and operation being a vector of increased risk for AIS exposure is reasonable.</p> <p>The potential to introduce presence of aquatic invasive species (AIS) exists, given that equipment and personnel may be sourced from places where AIS exist. (This will become even more of a concern if the Fission project also goes ahead). Improved access to recreational users will also increase the risk of AIS exposure.</p>	
562.	MN-S (October 19, 2022)	13.2.2, p. 13-13	“Habitat requirements for species that are not well known or understood (i.e., tracked bryophytes, such as mosses, and lichens) were excluded as	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>VCs because of the high degree of uncertainty associated with the distribution of these taxa (e.g., species) within the area of the anticipated Project (and generally in Saskatchewan)(DeVries and Wright 2015) and because such organisms often require detailed chemical or taxonomic procedures for their identification (Eldridge et al. 2003).”</p> <p>A high degree of uncertainty and lack of information does not preclude the potential for adverse Project-related effects on tracked and/or listed non-vascular plant and lichen species. Please comment on why this lack of information was not addressed within baseline studies for the Project.</p>	
563.	MN-S (October 19, 2022)	13.2.3.1, p. 13-16 <i>Baseline Survey Boundaries</i>	<p>This section states that the spatial boundaries for the baseline field surveys differed from those used in the EA, but that the baseline survey data remain appropriate for the EIS boundaries.</p> <p>What effect or source of error does having different spatial study areas for vegetation VCs—and some surveys that did not include the entire footprint of the Project—have on the appropriateness of the EIS, considering the size of the Assessment RSA shown in Figure 13.2-1, on page 13-18, and the amount of area that was never surveyed?</p>	
564.	MN-S (October 19, 2022)	13.2.6, p. 13-24 Existing Conditions	<p>“Supplemental vegetation inventory and rare plant surveys [were] completed in 2021 to further characterize baseline conditions for vegetation (Dolmage 2021).”</p> <p>Will this information be provided as an Annex to the EIS for review? MN-S has not had an opportunity to evaluate this material to date.</p>	
565.	MN-S (October 19, 2022)	13.2.6.1, p. 13-26 <i>Ecological Land Classification</i>	<p>It is noted that a new ELC map was created for the EIS, which is different from the ELC map used in the baseline Annex reports.</p> <p>How closely does the EIS ELC mapping correspond with the mapping products created by CanNorth and Omnia in 2021?</p> <p>Does the revised ELC mapping have any implications for stratified listed/tracked plant surveys completed during baseline work (i.e., have all revised ELC units been appropriately sampled in accordance with SK CDC protocols)?</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
566.	MN-S (October 19, 2022)	13.2.6.1, p. 13-26 <i>Ecological Land Classification</i>	What is the scale of the ELC mapping? What was the minimum, maximum, and average polygon size? What proportion of polygons were field verified?	
567.	MN-S (October 19, 2022)	13.2.6.1.2, p. 13-28 Wetland Ecosystem Mapping	<p>Table 13.2-4 Wetland Ecological Land Classification Units within the Local and Regional Study Areas</p> <p>The table does not show any shallow open water wetlands mapped within the LSA or RSA. Please comment on why no shallow open water wetlands were identified to be associated with persistent water <2m deep (as defined by the Canadian Wetland Classification System).</p>	
568.	MN-S (October 19, 2022)	13.2.6.1.3, p. 13-29 Riparian Ecosystem Mapping	<p>“Riparian ecosystems are zones of interaction between aquatic and terrestrial environments within watersheds that function in linking terrestrial ecosystems to watercourses, stabilizing streambanks and floodplains, regulating stream temperatures, and providing a source of large woody debris and organic matter for aquatic ecosystems ...”.</p> <p>Based on this definition, it is unclear why ecosystems with “riparian potential” were defined as land cover types with moist or wet soil moisture regimes. It seems that ecosystems with other soil moisture regimes (e.g., mesic) within riparian areas could provide similar functions.</p> <p>Please comment on how the definition of “riparian potential” used within the assessment is not underestimating riparian ecosystems within the RSA.</p>	
569.	MN-S (October 19, 2022)	13.2.6.1.3, p. 13-29 to 13-30 Riparian Ecosystem Mapping	<p>“The method used to identify riparian ecosystems likely overestimates the outer edge of active floodplains for many of the smallest watercourses and waterbodies in the RSA and appropriately captures the active floodplains for the largest watercourses in the RSA.”</p> <p>Were mapped wetland ELC units also buffered (i.e., waterbodies not captured at the 1:50k CanVec scale)?</p>	
570.	MN-S (October 19, 2022)	13.2.7, p. 13-37 Project Interactions	”Secondary pathway: The pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		and Mitigations	<p>this change would be sufficiently small that it would have a negligible residual effect on vegetation.”</p> <p>This approach uses language that implies dismissing “minor” changes that the assessment knows, without doing the assessment, would definitively (i.e., “would have”) have a negligible effect – and none of these terms have been defined. As such, the assessment does not appear to assess “all” potential effects on vegetation, but only those residual effects that are judged to be greater than “minor”, before the assessment is done? How are the negligible effects considered in the cumulative effects assessment?</p>	
571.	MN-S (October 19, 2022)	13.2.9, p. 13-39 Residual Effects Classification and Determination of Significance	<p>It is noted that magnitude criteria have not been assigned based on VC-specific thresholds.</p> <p>While it is understood that context is required to properly characterize effects, well-supported VC-specific a priori magnitude thresholds provide clear rationale for magnitude determinations.</p>	
572.	MN-S (October 19, 2022)	13.3.1.3, p. 13-51 <i>Ecosystem Condition</i>	<p>Please comment on the baseline data collection for Boreal Shield ecosites in Annex VII.1 and its applicability to areas of the Boreal Shield within the RSA.</p> <p>What is the confidence in the age estimates provided, given the low extent of overlap between the Omnia RSA and the EIS RSA?</p>	
573.	MN-S (October 19, 2022)	13.3.2.2, p. 13-56 <i>Ecosystem Distribution</i>	<p>Figure 13.3.3: Wetland Ecosystems and Rare Plant Species in the Regional Study Area, Base Case</p> <p>On Figure 13.3.3, wetland ecosystems appear to be more prevalent outside (to the south) of the Omnia RSA at the southwestern extent of the EIS RSA.</p> <p>Please provide comment on the implications of this discrepancy and the relative accuracy of wetland mapping within each of the EIS study areas considering that if wetlands have been disproportionately mapped at the margins of the RSA, the potential effects of the Project may be diluted within the assessment.</p>	
574.	MN-S (October 19, 2022)	13.3.3.1, p. 13-60	“Overall, riparian habitats are uncommon the landscape relative to upland	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		<i>Ecosystem Availability</i>	<p>and wetland ecosystems ...”</p> <p>Please comment on how different mapping scales/products within the LSA and RSA may have influenced this result.</p>	
575.	MN-S (October 19, 2022)	13.4.2, p. 13-86 to 13-97 Secondary Pathways	<p>Secondary pathways identified as:</p> <p>V-03 Public access affecting vegetation</p> <p>V-04 Fugitive dust and constituent emissions</p> <p>V-05 Vegetation changes from particulates and acid emissions</p> <p>V-06 Loss from fibre optic line</p> <p>V-07 Invasive species</p> <p>V-08 Surface water flow changes</p> <p>V-09 surface water quality from runoff</p> <p>V-10 Treated effluent discharge</p> <p>V-11 Surface water quality from WRSAs and UGTMF after Closure, are all addressed by outlining the general mitigation and then concluding with a statement such as “any minor changes are predicted to have a negligible residual effect on vegetation VCs, and the pathway was not carried forward in the assessment”.</p> <p>Please address how it is appropriate to not consider all adverse effects on vegetation VCs in the assessment of residual effects, regardless of the magnitude, particularly in the cumulative effects assessment, where several “negligible adverse effects” could result in a measurable change in vegetation?</p> <p>It is noted that no potential indirect effects on vegetation VCs have been</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>carried forward to the residual and cumulative effects assessments.</p> <p>In addition, negligible is not a defined term in Table 13.2-9⁸ Definitions applied to the effects criteria classifications for the assessment of residual effects, for vegetation – yet it is used throughout the chapter to dismiss residual effects?</p>	
576.	MN-S (October 19, 2022)	13.4.3, p. 13-98 Primary Pathways	<p>This section addresses two primary pathways:</p> <p>V-01 Direct loss</p> <p>W-02 Terrain alteration, that are taken forward in the assessment.</p> <p>Please comment on the rationale for focusing on only two identified residual effects while dismissing the secondary pathways identified earlier and not considering their influence on vegetation in addition to the primary pathways, particularly as it relates to cumulative effects?</p>	
577.	MN-S (October 19, 2022)	13.5.2.1.1, p. 13-118 Ecosystem Availability	<p>“Wetland ecosystems are less common within the LSA ... relative to the RSA ...”.</p> <p>Please comment on how different mapping scales/products within the LSA and RSA may have influenced this result.</p>	
578.	MN-S (October 19, 2022)	13.5.5, p. 13-164 Effects on Biodiversity	<p>This section indicates that “effects on biodiversity have been evaluated based on the assessment completed for ecosystems and traditional use plant species”.</p> <p>“Effects on biodiversity have been assessed on the effects on ecosystems ... and the effects on traditional use plant species ...”</p> <p>Please explain how all the minor/negligible effects on vegetation that were not assessed (i.e., only primary pathways taken forward into the assessment and the cumulative effects assessment) increase the uncertainty of the assessment results?</p>	

⁸ EIS, p. 13-39

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
579.	MN-S (October 19, 2022)	13.7, p. 13-167 Monitoring, Follow-up and Adaptive Management	<p>The section discusses monitoring, the Environmental Monitoring Plan, the Preliminary Decommissioning and Reclamation Plan, and the plan to establish Environmental Committees.</p> <p>No details, or even a draft Table of Contents, on an Environmental Monitoring Plan for vegetation are provided, only a commitment that one would be implemented.</p> <p>Please provide Environmental Monitoring details for the vegetation component.</p> <p>There is also no discussion on any follow-up programs that would test the predictions made in the EIS under this heading, as it suggests; please address as appropriate?</p>	
580.	MN-S (October 19, 2022)	14.1.2, p. 14-6 Purpose and Approach to the Assessment	<p>“The purpose of Section 14 is to provide a detailed and comprehensive assessment of all potential Project-specific effects and cumulative effects ...”</p> <p>How does this approach consider the “minor” effects that are screened out before the assessment is even begun?</p>	
581.	MN-S (October 19, 2022)	14.2.2.2, 14-23 Measurement Indicators	<p>Section states that one of the measurement indicators is “survival and reproduction” which relates to “change in abundance”.</p> <p>Measurement indicators suggest that baseline information is such that any changes resulting from the Project can be measured. Does the baseline information support such a comparison to adequately inform the assessment (i.e., environments that can be measured)?</p>	
582.	MN-S (October 19, 2022)	14.2.3, p. 14-23 Spatial Boundaries	<p>Section states that the spatial boundaries for the baseline field surveys differed from those used in the EA, but that the baseline survey data remain appropriate for the EA boundaries.</p> <p>What effect or source of error does having different spatial study areas for some of the wildlife groups, and that some of the surveys did not include the entire footprint of the Project, have on the appropriateness of the EA, considering the size of the Assessment RSA shown in Figure 14.2-1, on page 14-25, and the amount of area that was never surveyed?</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
583.	MN-S (October 19, 2022)	14.2.7, p. 14-43 Project Interactions and Mitigations	<p>“Secondary pathway: the pathway could result in measurable but minor environmental change relative to existing conditions or guideline values, but this change would be sufficiently small that it would have a negligible residual effect on wildlife and wildlife habitat.”</p> <p>This approach uses language that implies dismissing “minor” changes that the assessment knows, without doing the assessment, would definitively (i.e., “would have”) have a negligible effect – and none of these terms have been defined. As such, the assessment does not appear to assess “all” potential effects on wildlife and wildlife habitat, but only those residual effects that are judged to be greater than “minor” before the assessment is done. How are the negligible effects considered in the cumulative effects assessment?</p>	
584.	MN-S (October 19, 2022)	14.2.8, p. 14-44 Residual Effects Analysis	<p>“Changes in habitat availability and animal use”</p> <p>This appears to link two concepts into a single effect and the linkage is not clear. Please explain.</p>	
585.	MN-S (October 19, 2022)	14.2.8, p. 14-44 Residual Effect Analysis	<p>“Changes in survival and reproduction”</p> <p>Again, appears to link two concepts into a single effect. Without detailed baseline information on the survival rates and reproduction of the wildlife VCs, it is unclear as to how there can be an assessment to determine changes in the measurement indicators. Please expand on this.</p>	
586.	MN-S (October 19, 2022)	14.2.9, p. 14-45 Residual Effects Classification and Determination of Significance	<p>Table 14.2-7 Definitions Applied to Effects Criteria Classifications for the Assessment of Valued Components</p> <p>The table shows that for “Magnitude,” the change in the measurable indicator is described by effect size with no characterization criteria (e.g., Low, Moderate, High) to put the effect into context with appropriate threshold values or other ecological indicators.</p> <p>Please discuss how this approach is appropriate in informing the determination of the significance of any of the residual effects for wildlife and wildlife habitat.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
587.	MN-S (October 19, 2022)	14.2.9, p. 14-46 Residual Effects Classification and Determination of Significance	<p>Section states that the significance of the residual effects on the VC were determined at the RSA level, except for caribou, where significance was determined at the scale of the SK2 West Caribou Administration Unit.</p> <p>Please discuss the rationale for this, and dilution of the effect that this approach would introduce to differing spatial boundaries for the assessment and the purpose for different study areas for caribou (i.e., caribou regional study area, caribou home range assessment area, Regional Study Area) to inform the assessment and/or the differing conclusions based on the different spatial areas.</p>	
588.	MN-S (October 19, 2022)	14.3.1 to 14.3, p. 14-49 to	It appears that little of the baseline data collected was used to inform the description of the baseline conditions for the VCs (i.e., no mention of populations or densities estimated), and that the baseline description relied heavily on a literature review – please explain how the baseline data collected to support and inform the EA was incorporated and used?	
589.	MN-S (October 19, 2022)	14.4, p. 14-148 Project Interactions and Mitigations	<p>Table 14.4-1 Potential Effects Pathways for Wildlife and Wildlife Habitat Table indicates that one of the primary mitigation measures is to “Limit the Project Footprint to the extent practical.”</p> <p>Does this recognize the area currently disturbed by all the exploration activities that have taken place in the past that has led up to the Project being advanced?</p> <p>No mention a pre-exploration conditions is discussed</p>	
590.	MN-S (October 19, 2022)	14.4.2, p. 14-157 to 14-174 Secondary Pathways	<p>W-04 Fibre optic line direct loss states that the entire line will be ploughed-in. What about watercourse, wetland and bog crossings and related disturbances to wildlife and wildlife habitat?</p> <p>W-05 Injury and mortality from clearing</p> <p>W-06 Invasive plants affecting wildlife habitat</p> <p>W-07 Increased edge habitat</p> <p>W-08 Increased predator access</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>W-09 Increased public access</p> <p>W-10 Air emission effects via inhalation or ingestion</p> <p>W-11 Soil contamination from emissions</p> <p>W-12 Treated effluent discharge</p> <p>W-13 Surface water quality from runoff</p> <p>W-14 Water quality from WRSAs and UGTMF</p> <p>W-15 Surface flow changes</p> <p>W-16 Linear barriers</p> <p>W-17 Power line injury and mortality</p> <p>W-18 Vehicle injury and mortality</p> <p>W-19 Wildlife attractants</p> <p>W-20 Direct harm from contact water</p> <p>All secondary pathways are addressed by outlining the general mitigation and then concluding with a statement such as “any adverse interactions between the Project and wildlife are expected to be infrequent and have a minor influence on regional population relative to existing conditions and are predicted to result in negligible residual effects on VCs – and the pathway was assessed as secondary and not carried forth in the assessment”.</p> <p>How it is appropriate to not consider all negative effects on wildlife and wildlife habitat in the assessment of residual effects, regardless of the magnitude, particularly in the cumulative effects assessment, where several “negligible adverse effects” could result in a measurable change in wildlife or wildlife habitat?</p> <p>Explain why “negligible” is not a defined term in Table 14.2-7: Definitions Applied to Effects criteria Classification for the Assessment of Valued Components, for wildlife and wildlife habitat – yet it is used throughout the chapter to dismiss residual effects.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
591.	MN-S (October 19, 2022)	14.4.3, p. 14-174 Primary Pathways	<p>Three primary pathways: W-01 Habitat loss W-02 Habitat alteration W-03 Sensory disturbance</p> <p>are taken forward in the assessment – please comment on the rationale for focusing on only three identified residual effects while dismissing the secondary pathways identified earlier and not considering their influence on wildlife and wildlife habitat in addition to the primary pathways, particularly as it relates to cumulative effects.</p>	
592.	MN-S (October 19, 2022)	14.5, 14-175 Residual Effects Analysis	<p>It appears that the significance of each of the residual effects was not determined, but that the residual effects (i.e., only those with a primary pathway) were rolled up to predict the significance on each of the wildlife VCs – is this correct?</p>	
593.	MN-S (October 19, 2022)	14.5.13, p. 14-35 3 Effects of Biodiversity	<p>“Effects on biodiversity have been evaluated based on the assessment completed for the wildlife VCs, ...”.</p> <p>Please explain how all the minor/negligible effects on wildlife and wildlife habitat that were not assessed (i.e., only primary pathways taken forward into the assessment and the cumulative effects assessment) increase the uncertainty of the assessment results, particularly as they relate to listed species.</p>	
594.	MN-S (October 19, 2022)	14.7, p. 14-356 Monitoring, Follow-Up, and Adaptive Management	<p>The section discusses monitoring, the Caribou Mitigation and Offsetting Plan, the Preliminary Decommissioning and Reclamation Plan, and the plan to establish Environmental Committees.</p> <p>No details, or even a draft Table of Contents, on an Environmental Monitoring Plan for Wildlife and Wildlife Habitat are provided, only a commitment that one would be implemented.</p> <p>Please provide Environmental Monitoring details for the Wildlife and Wildlife Component. There is also no discussion on any follow-up programs</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			that would test the predictions made in the EIS under this heading, as it suggests – please address as appropriate.	
595.	MN-S (October 19, 2022)	14.8, p. 14-357 Key Findings	<p>“Section 14 met the main objectives of the Terms of Reference for the Project issued by the ENV and CNSC by providing a detailed and comprehensive assessment of potential Project-specific effects, and cumulative effects from the Project and other developments on wildlife and wildlife habitat.”</p> <p>How can the assessment be considered comprehensive, when “minor or negligible effects” are screened out; therefore, not all residual effects were assessed, particularly in the cumulative effects?</p>	
596.	MN-S (October 19, 2022)	14A2, p. 2 Barn Swallow	<p>Indicates that no secondary pathways were assessed for any of the listed species addressed in this section.</p> <p>Was this approach considered appropriate to determine cumulative effects on these listed species?</p>	
597.	MN-S (October 19, 2022)	14A2, p. 3,4 Barn Swallow	<p>To determine significance of the Project residual effects and the cumulative effects for three listed species, the prime consideration in the assessment appears to be that the incremental changes to habitat availability, habitat distribution, and survival and reproduction are expected to remain within the species’ resilience and adaptability limits, and therefore, to remain self sustaining and ecologically effective – followed by the prediction of not significant for the residual effects.</p> <p>How can this statement be made in this screening-level assessment when there is no mention of measurement indicators relative to resilience and adaptability?</p>	
598.	MN-S (October 19, 2022)	14B3.7.2, p. 30 Model Validation	<p>This section reports on model verification for rusty blackbirds and concludes with the statement “The model provides an ecologically relevant and confident assessment of the effects of the Project and previous, existing and other future developments on olive-sided flycatcher habitat.”</p> <p>Please explain the correlation between rusty blackbird habitat as it relates olive-sided flycatcher habitat, and its relevance in the EA?</p>	
599.	MN-S (October 19, 2022)	15.2.8, p. 15-24	Figure 15.2-2: Human Health Risk Assessment Process	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Risk Assessment	The methodology described can be applied to individual COPCs. However, when multiple COPCs are present, risks can occur when exposure to individual COPCs is still below safe levels if multiple COPCs have similar modes of toxicity. Exclusion of COPCs before evaluation of toxicity interactions may underestimate potential risks to human receptors.	
600.	MN-S (October 19, 2022)	15.2.8.1, p. 15-26 <i>Receptor Selection and Characterization</i>	<p>Table 15.2-3: Rationale for Selection of Human Health Receptor Groups</p> <p>It is unclear if COPC screening used observed or predicted concentrations</p>	
601.	MN-S (October 19, 2022)	Section 15.2.8.2, Figure 15.2-3	<p>Application of Federal or Provincial Guidelines is not necessarily protective of human health. COPCs concentrations which are increased by project activities, but remaining below guidelines, still contribute to overall exposure. Applied guidelines may also not be protective of Traditional Land Uses, address the potential for bioaccumulation in Traditional Foods, or reflect the most current understanding of COPC toxicity.</p> <p>Please include in the EIS, a detailed review of guidelines adopted from other jurisdictions to ensure the same assumptions regarding toxicity, exposure, and receptor characteristics are applied. Only guidelines which are solely health-based should be considered for COPC screening.</p>	
602.	MN-S (October 19, 2022)	15.2.8.2, p. 15-30 <i>Aquatic Sources</i>	<p>Figure 15.2-4: Screening Process for Selection of Constituents of Potential Concern for the Environmental Risk Assessment</p> <p>It is not clear if COPCs that exceeded water quality objectives at end-of-pipe treatment but met WQOs at the boundary of the mixing zone, were excluded from further assessment. This approach is not conservative and makes several assumptions regarding dilution factors for COPCs. If this approach is taken, these assumptions and model results must be validated with a comprehensive monitoring plan, with a plan in place to address any unexpected WQO exceedances. Factoring in dilution in a surface water body is not good practice for ecological risk assessment.</p>	

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603.	MN-S (October 19, 2022)	15.2.8.2, p. 15-32 <i>Atmospheric Sources</i>	Screening against Ambient Air Quality Objectives (AAQO) needs to confirm that all applied objectives are entirely health based, and do not represent achievability, objectives being phased in over time, or which include social, technical, or economic factors. Additionally, any COPC, even if there are AAQO, that acts with a non-threshold level of toxicity should be included for further assessment regardless of whether they exceed AAQOs, to indicate potential health effects.	
604.	MN-S (October 19, 2022)	15.2.8.2, p. 15-32 <i>Atmospheric Sources</i>	Screening for deposition based on soil quality guidelines may not be protective in some cases. For example, if soil quality guidelines do not consider exposure pathways relevant to all applicable traditional land use (e.g., consumption of Traditional Foods). For example, arsenic and lead are both predicted to be deposited to soil increasing concentrations and exposure, and are present in other media, but not assessed further in soil (Table 4.3.3.4, Page 4.40 and Table 4-10, Page 4.41 of TSDXXI). These are both non-threshold COPCs, so any increase in environmental concentration needs to be incorporated into the overall project exposure calculation.	
605.	MN-S (October 19, 2022)	15.2.8.3, p. 15-35 Exposure Pathways and Conceptual Model	Figure 15.2-5 Human Health Conceptual Site Model ⁹ Indicates that the only exposure of human receptors to water is through ingestion, this is not consistent with wording throughout Section 15.2.	
606.	MN-S (October 19, 2022)	15.2.9, p. 15-37 Risk Characterization and Determination of Significance	This Section lacks clarity on the usage of age-dependent adjustment factors (ADAFs) for different life stages. ADAFs of 1 are not conservative, and in some cases, Health Canada recommends larger ADAFs: 10 for infants, 5 for toddlers, 3 for children, and 2 for teenagers. ¹⁰	
607.	MN-S (October 19, 2022)	15.2.9, p. 15-37	“Arsenic was evaluated as a non-threshold carcinogen ... For this assessment, the lifetime average daily dose was estimated for various age	

⁹ See also [Section 6 TSD XXI: Environmental Risk Assessment](#), Issue # ERA-002, of this document.

¹⁰ *Federal Contaminated Sites Risk Assessment in Canada: Interim Guidance on Human Health Risk Assessment for Short-Term Exposure to Carcinogens at Contaminated Sites*, Health Canada, 2013. https://publications.gc.ca/collections/collection_2013/sc-hc/H144-11-2013-eng.pdf

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Risk Characterization and Determination of Significance	<p>groups ... to permit estimation of the lifetime risk to a composite receptor for each of the subsistence harvester, seasonal resident, and permanent resident.”</p> <p>Confirm if there was any averaging of doses for less-than-lifetime exposure to non-threshold carcinogens as described. If so, confirm that this averaging followed Health Canada guidance.¹¹</p>	
608.	MN-S (October 19, 2022)	15.2.9, p. 15-37 to 15-38 Risk Characterization and Determination of Significance	<p>“post-modelling adjustments were made on the outputs to account for bioavailability of arsenic in certain foodstuffs ... and the percent inorganic arsenic present in fish tissue, given that 90% is present in a relatively non-toxic, organic form”</p> <p>Several adjustments were made to arsenic exposure based on assumed bioavailability and ratio of inorganic to organic forms. Arsenic is above risk thresholds and pretty large adjustments were made. Metals have highly variable bioavailability so in this case a good practice would be to confirm that moose meat is safe.</p>	
609.	MN-S (October 19, 2022)	15.3.1, p. 15-40 Baseline Considerations of Constituents in Environmental Media	Based on Indigenous Knowledge evidence, water and air quality is extremely high in the Study Area, except for areas already impacted by other developments. It is not clear if baseline data used in the Environmental Risk Assessment reflect natural high-quality conditions and not those already impacted by existing activity.	
610.	MN-S (October 19, 2022)	15.5.1.2, p. 15-60 <i>Carcinogens</i>	<p>Figure 15.5-1: Interpretation of Incremental Cancer Risk for Human Health Receptors – Application Case</p> <p>The Figure is not clear. It appears to indicate that ILCR will decrease because of Project activities, and that ILCR values greater than 1 in 1,000 represent low risk. This is not consistent with Health Canada policy and misrepresents the results of the HHRA.</p>	

¹¹ Ibid.

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
611.	MN-S (October 19, 2022)	15.6, p. 15-72 to 15-73 Risk Characterization and Significance Determination	<p>Table 15.6-1 Classification of Residual Effects on Human Health Measurement Indicators for the Application Case and Reasonably Foreseeable Development Case</p> <p>For non-carcinogenic COPCs, the magnitude in Table 15.6-1 is indicated as small compared to existing conditions. However, a base case dose estimate or hazard quotient was not provided for comparison. The geographic extent is also not clear, as HQs were not estimated to be below 0.2 at all locations. The assigned probability of occurrence, unlikely, does not reflect rest of the information provided.</p>	
612.	MN-S (October 19, 2022)	15.6, p.15-73 Risk Characterization and Significance Determination	<p>Table 15.6-1 Classification of Residual Effects on Human Health</p> <p>Risks were predicted for arsenic, and these were classified as not significant. As risks were predicted, it would be the expectation of MN-S that these potential impacts were examined in more detail. While several conservative assumptions have been made in the HHRA, this conservativeness is intended to reflect the uncertain nature of risk assessment and be protective of all MN-S members. There are no specifics provided or scientific justification behind the assertion that residual effects will not be significant, and there is opportunity to include additional detail in the assessment that would ensure there are no potential risks to members of MN-S.</p>	
613.	MN-S (October 19, 2022)	15.7, p. 15-75 Prediction Confidence and Uncertainty	<p>Table 15.7-1 How Uncertainties in the Human Health Exposure are Addressed</p> <p>This table indicates that there are no permanent residents currently in the RSA. It is not clear if there are any restrictions on residency in this area, or if there are control measures in place to prevent establishment of residences within the RSA during the Project lifespan. Excluding permanent residents from an understanding of the RSA has the potential to limit the understanding of potential future residents of the RSA, such as workers at possible future developments in the area.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
614.	MN-S (October 19, 2022)	15.8, p. 15-76 Monitoring, Follow-Up, and Adaptive Management	Environmental monitoring as proposed in Section 15.8 should also include verification of assumptions made in the Human Health Risk Assessment (HHRA). Additionally, there should be means to validate that the proposed mitigation measures used to exclude any exposure pathways are in place and working as intended.	
615.	MN-S (October 19, 2022)MN-S	15.8, p. 15-76 Monitoring, Follow-Up, and Adaptive Management	<p>“short-term exceedances ... may occur within the Project footprint ...”</p> <p>It is not clear why short-term exposures to air quality pollutants were not included in the HHRA, when this section states that short-term exceedances may occur at the Project boundary (Section 15.8, Page 15-76 of EIS15).</p>	
616.	MN-S (October 19, 2022)	16, p. ii <i>Existing Conditions</i> (Section 16.3)	<p>“In total, 180 ha were assessed and no heritage resources were identified in the survey area.”</p> <p>No information is provided regarding methodology for the Heritage Resource Impact Assessment (HRIA); additional detail regarding survey approach, including length of field program and a definition of heritage resources is required within the introduction.</p> <p>MN-S questions the robustness and methodology of a 180ha field program with no findings in an area acknowledged as actively used for Indigenous land and resource use.</p>	
617.	MN-S (October 19, 2022)	16, p. iv <i>Potential Effects and Proposed Mitigation</i> (Section 16.4)	<p>“With respect to Indigenous land and resource use, proposed mitigation measures that would reduce effects include:</p> <ul style="list-style-type: none"> • implementation of Benefit Agreements with primary Indigenous Groups, which would include funding and human resources to support community-related initiatives and establishing an Implementation Committee” <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list establishment of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S Cultural and Heritage Resources and Indigenous Land and Resource Use.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
618.	MN-S (October 19, 2022)	Section 16.5, Section 16.4	<p>Section 16.5 of the EIS states: “Perception that mine activities may adversely affect the quality of water, fish, plants, and wildlife.”</p> <p>“Perceptions of contamination at decommissioned facilities and the suitability of the land and resources for practising traditional activities.”</p> <p>Indigenous Knowledge is a unique, but equal way of knowing. As a rights holder, MN-S qualitative communication of impacts regarding the quality of resources and/or contamination levels should be acknowledged, discussed and considered.</p> <p>Text should, at a minimum, reflect “real or perceived” impacts. The exclusive use of “perceived” implies that this Knowledge is not supported or equal in importance to scientific data collection.</p> <p>Please revise text so that , at a minimum, it reflects “real or perceived” impacts.</p>	
619.	MN-S (October 19, 2022)	Section 16.8	<p>Section 16.5 of the EIS states: “The effectiveness of mitigations on the Indigenous land and resource use would be evaluated through the following: ...” [bullet list]</p> <p>This summary only discusses mitigation measures, however lacks detail and information related to follow-up and adaptive management.</p> <p>Monitoring on its own would identify deficiencies or opportunities to improve the programs but does not imply any action is required to remedy or resolve issues, improve program efficacy, re-evaluate objectives and goals or otherwise adapt the management approach.</p> <p>It is unclear if there was a perception study to document existing perceptions and concerns related to mining to inform current practices. One should have been undertaken to support the assessment of potential effects on Indigenous land and resource use and to support future monitoring, mitigation, and adaptive management.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Without a “baseline” of the current understanding, a future survey will provide little value in terms of assessing a change in understanding.</p> <p>MN-S requests the opportunity to be engaged and collaborate on the development of all mitigation and monitoring programs related to the cultural and heritage resources and the Indigenous land and resource use assessment.</p> <p>In particular, MN-S requests the opportunity to support the scoping, development, implementations, analysis, and development of mitigation and monitoring programs related to a perception survey related to LPA residents' thoughts and understanding of uranium mining.</p> <p>In addition, the scope of this survey should not be limited to “thoughts and understanding of uranium mining” and instead should focus on the Projects, its potential real or perceived impacts, the implementation of mitigation and monitoring programs and the overall ability of NexGen to meet its commitments. As rights holders, MN-S should have the opportunity to contribute to the development and implementation of all discussions related to monitoring, follow-up and adaptive management associated with Indigenous Land and Resource Use.</p>	
620.	MN-S (October 19, 2022)	16.2.3, p. 16-16 Spatial Boundaries	<p>“The spatial boundary selected for the cultural and heritage resources assessment was defined as the heritage study area and included three main areas of the maximum disturbance area (Annex IX, Figure 3):”</p> <p>The study area figure should be included within the EIS; readers should not be required to consult an alternate document to understand the spatial scope of the assessment.</p> <p>Additional justification is required to understand the selection of these locales for inclusion within the study areas, and more importantly why other areas within the maximum disturbance area were excluded.</p>	
621.	MN-S (October 19, 2022)	16.2.3, p. 16-18 Spatial Boundaries	<p>Table 16.2-2 Spatial Boundaries for the Assessment of Indigenous Land and Resource Use</p> <p>LSA Description:</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>“The terrestrial, aquatic, and human health RSAs where ecosystems and resources can potentially be directly or indirectly affected by the Project and experience some cumulative effects, if applicable.”</p> <p>Section 16.2.2.2 states that "the measurement indicators for Indigenous land and resource use are connected to intermediate components in the EA such as air quality, noise, hydrology, and surface water quality."¹²</p> <p>At a minimum, these intermediate components (air quality, noise, hydrology, and surface water quality) should be considered (and discussed within the EIS) when selecting the appropriate spatial boundaries for Indigenous land and resource use.</p>	
622.	MN-S (October 19, 2022)	16.2.6, p. 16-24 Existing Conditions	<p>Table 16.2-3 Linkage between Existing Conditions and Measurement Indicators</p> <p>The cultural and heritage resources VC has only one measurement indicator; a high-level summary of existing conditions for this indicator should be provided. The level of detail and robustness should be comparable to the content provided for the Indigenous land and resource use measurement indicators.</p> <p>Readers should not be required to consult an alternate document to understand the existing conditions.</p>	
623.	MN-S (October 19, 2022)	16.2.7, p. 16-26 Project Interactions and Mitigations	<p>“No Pathway: Analysis reveals that the pathway could be removed (i.e., effect is avoided) by mitigation so that the Project would result in no measurable environmental change relative to existing conditions or guideline values and, therefore, would have no residual effect on cultural and heritage resources and Indigenous land and resource use.”</p> <p>No mitigation is guaranteed to avoid an effect; mitigations are intended to minimize potential effects.</p>	

¹² EIS, p. 16-14.

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			TWC recommends that MN-S request the definition for No Pathway is updated throughout the EIS.	
624.	MN-S (October 19, 2022)	16.3.2.2, p. 16-38 Métis Nation-Saskatchewan Northern Region	<p>“However, both communities' Métis populations have declined in recent years. In La Loche, the Métis populations decreased by 600 since 2011 (the largest population decrease among LPA communities), and by 225 in Buffalo Narrows. Buffalo Narrows has the oldest population among LPA communities with a median age of 30.8 years, which is consistent with provincial Indigenous population characteristics where the Métis population is oldest amount Indigenous Groups.”</p> <p>The overall MN-S population numbers should be included to understand the impact of a population decrease of 600 since 2011.</p>	
625.	MN-S (October 19, 2022)	16.3.3, p. 16-39 Contemporary Indigenous Land and Resources	<p>“Fishing: Fishing has traditionally been an important activity for Indigenous Groups providing food. Topics discussed include the cultural importance of fishing, the species fished, fishing locations, and the seasonality, where available.”</p> <p>Given fishing is acknowledged as an important activity for Indigenous Groups, fishing as is relates to sustenance (and ultimately Human Health) should be a topic of discussion to fishing.</p>	
626.	MN-S (October 19, 2022)	16.3.3.6, p. 16-59 Summary of Contemporary Indigenous Land Use	<p>“The MN-S has stated that the Patterson Lake area has historical and current value and is paramount to its members, and their lifeblood ...”</p> <p>This statement is a clear indication of the value of the Patterson Lake area to MN-S Indigenous land and resource use. Similar resources in the relative area should be not considered equivalent from a Cultural perspective.</p> <p>This text supports MN-S direction that the Indigenous land and resource use assessment endpoint should at a minimum reflect MN-S' ability (as a rights holder) to continue Indigenous land and resource use practices, as they currently occur, should be the assessment endpoint.</p>	
627.	MN-S (October 19, 2022)	16.4, p. 16-60 to 16-62	Table 16.4-1 Potential Adverse Effects Pathways for Indigenous Land and	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Project Interactions and Mitigations	<p>Resource Use</p> <p>Environmental Design Features and Mitigations column</p> <p>As a rights holder, MN-S should have the opportunity to contribute to the scoping, development and implementation of all mitigation measures related to cultural and heritage resources and Indigenous land and resource use.</p>	
628.	MN-S (October 19, 2022)	16.4, p. 16-60 to 16-62 Project Interactions and Mitigations	<p>Table 16.4-1 Potential Adverse Effects Pathways for Indigenous Land and Resource Use</p> <p>ILU-01/ILU-02/ILU-03/ILU-05: Environmental Design Features and Mitigation “Implement Benefit Agreements including ...”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S Cultural and Heritage Resources and Indigenous Land and Resource Use.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
629.	MN-S (October 19, 2022)	16.4, p. 16-62 Project Interactions and Mitigations	<p>Table 16.4-1 Potential Adverse Effects Pathways for Indigenous Land and Resource Use</p> <p>ILU-05 (Effects Pathway Changes to air or water quality) Environmental Design Features and Mitigation</p> <p>As a rights holder, MN-S should have the opportunity to contribute to the scoping, development, and implementation of all mitigation measures related to cultural and heritage resources and Indigenous land and resource use.</p> <p>Environmental Protection, Management and Monitoring Plans must consider Indigenous Knowledge including consideration of real or perceived impacts communicated by MN-S.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
630.	MN-S (October 19, 2022)	16.5.1.2.2, p. 16-73 <i>Access to and Area available for Indigenous Land and Resource Use</i>	<p>“NexGen also commits to supporting intergenerational transfer of knowledge.”</p> <p>It is unclear what actions NexGen is committing to; additional information and context is required to support this statement.</p>	
631.	MN-S (October 19, 2022)	16.5.1.2.3, p. 16-78 to 16-79 Hunting and Trapping	<p>“This may result in woodland caribou [Moose, Black Bear] avoiding an existing movement route at the narrows of Patterson Lake identified through Indigenous and Local Knowledge.”</p> <p>It is unclear if mitigations or monitoring programs are being proposed to address this change in movement and potential connectivity between habitats.</p>	
632.	MN-S (October 19, 2022)	16.5.1.2.3, p. 16-82 Summary	<p>“However, wildlife habitat is expected to remain well connected for movement throughout the rest of the wildlife RSA. Effects on wildlife availability from changes in habitat availability, habitat connectivity, and sensory disturbances would occur throughout all Project phases and extend beyond the Active Closure Stage (i.e., two generations of Indigenous land users, or 43 years, for harvesting of most species, and approaching three to four generations, or 100 years, for common goldeneye and American marten) until functional habitat is restored and sensory disturbance from traffic in Project activities is no longer expected to influence wildlife movements. ... Overall, the Project is expected to have a small, local effect on Indigenous land and resource use through its effects on the availability of wildlife for harvest.”</p> <p>Indigenous Land and Resource use is intrinsically tied to the land and the specific locale; similar availability of resources in adjacent areas does not necessarily reflect the ability to maintain MN-S cultural practices.</p> <p>An impact to wildlife availability that lasts two to four generations (43 to 100 years) is not a small and local effect on Indigenous land and resource use.</p>	
633.	MN-S (October 19, 2022)	16.5.1.3.3, p. 16-86	“Dust could affect the quality of Indigenous land use experience in the LSA	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Air Quality	<p>during Construction, Operations, and the Active Closure Stage, and potentially discourage harvesting next to the Project. Dust deposition rates are not expected to exceed guidance values outside of the maximum disturbance area.”</p> <p>MN-S requests the opportunity to be engaged in and collaborate on the development of mitigation and monitoring programs associated with Project dust impacts; particularly as it relates to Indigenous land and resource use.</p> <p>MN-S notes that the text in this section highlights MN-S concerns raised regarding dust, including on vegetation and berries, however no mitigation or monitoring to address these concerns is discussed or proposed.</p>	
634.	MN-S (October 19, 2022)	Section 16.5.1.3.4	<p>The EIS states: “While permanent features of the Project (e.g., WRSAs) would be reclaimed, vegetation communities anticipated to establish on these features would likely not be representative of the terrestrial ecosites not influenced by the Project; therefore, effects are conservatively considered permanent and irreversible ... This may result in a loss of aesthetic value after Closure for some Indigenous land and resource users.”</p> <p>It is unclear why reclamation would be undertaken such that vegetation ecosystems or forest types would differ from those present before disturbance. Reclamation should, at a minimum, be consistent with existing ecosystems and should be informed by Indigenous land users and their past, current, and future uses of the land.</p> <p>MN-S requests the opportunity to be engaged and collaborate on all aspects of end land use, closure, and reclamation planning.</p> <p>An assessment of visual effects including predictive modelling should be undertaken, and informed by Indigenous land and resource users, including MN-S, to identify appropriate viewing points and determine potential visual impacts (including aesthetics) associated with the Project.</p>	
635.	MN-S (October 19, 2022)	16.5.1.3.4, p. 18-88 Aesthetics	<p>“Reclamation is predicted to reverse effects on disturbed areas and restore natural ecosystems and visual aesthetics of the Project footprint; however, vegetation ecosystems or forest types would most likely differ from those present before disturbance ...”</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>How will the reversal of effects be accomplished and confirmed if the end goal is not consistent with the current conditions?</p> <p>Predictive visual modelling and renderings should be provided to confirm the anticipated outcome and support statements these objectives.</p> <p>What is the time scale to accomplish reclamation goals and 'reverse effects on disturbed areas and restore natural ecosystems and visual aesthetics of the Project footprint?'</p> <p>MN-S requests the opportunity to be engaged and collaborate on all aspects of end land use, closure, and reclamation planning.</p>	
636.	MN-S (October 19, 2022)	Section 16.5.1.3.5.1	<p>The EIS states: “Indigenous land users have documented the use of Patterson Lake, Forrest Lake, Beet Land, Dennis Lake, Derkson Lake, Koop Lake, Gall Lake and Dyck Lake in the LSA ... If the access road is used to access these lakes or cabins in these areas, there is potential for safety conflicts. ...</p> <p>The Ground Transportation Emergency Response Plan would contain measures to address Indigenous land user traffic safety on the access road and the Security Program would contain measures within the maximum disturbance area ...”</p> <p>The proposed mitigation measures include no specific mention of Indigenous land and resource users.</p> <p>MN-S requests the opportunity to be engaged and collaborate on the development of mitigation and monitoring programs related to the access road, including the Ground Transportation and Emergency Response Plan and Security Program as they relate to Indigenous land and resource use goals, objectives, mitigations, and monitoring.</p>	
637.	MN-S (October 19, 2022)	16.5.1.3.5.2, p. 16-88 <i>Highway 955</i>	<p>“Highway 955 was documented by Indigenous Groups as a travel route to access traditional use areas or other communities ...</p> <p>The Ground Transportation Emergency Response Plan would contain</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>limited measures to address Indigenous land user traffic safety on Highway 955 due to the roadway being under provincial purview ...”</p> <p>MN-S requests additional details related to the ongoing management and maintenance of Highway 955. Including clear delineation of provincial and proponent roles and responsibilities.</p> <p>MN-S requests additional details regarding “limited measures to address Indigenous land user traffic safety”. Safety for all road users, including Indigenous land and resource users and rights holders such as MN-S, should be a priority for NexGen and the Province.</p> <p>MN-S requests the opportunity to be engaged and collaborate on the development of mitigation and monitoring programs related to the access road, including the Ground Transportation and Emergency Response Plan and Security Program as they relate to Indigenous land and resource use goals objectives, mitigations, and monitoring</p>	
638.	MN-S (October 19, 2022)	16.5.1.3.6, p. 16-88 Perceptions of Water, Fish, Plant and Wildlife Resource Quality	<p>Indigenous Knowledge is a unique, but equal way of knowing. As a rights holder, MN-S qualitative communication of impacts regarding the quality of resources or contamination levels should be acknowledged.</p> <p>Text should, at a minimum, reflect “real or perceived” impacts.</p> <p>The exclusive use of “perceived” implies that this Knowledge is not supported or equal in importance to scientific data collection.</p>	
639.	MN-S (October 19, 2022)	16.5.1.3.6, p. 16-90 Perceptions of Water, Fish, Plant and Wildlife Resource Quality	<p>“However, existing perceptions of reduced resource quality are expected to remain for some individuals in the Application Case. To help mitigate these perceptions to the Project's potential for adverse effects on Indigenous land and resource use, NexGen would: ...”</p> <p>The proposed mitigations do not include any collaborative activities to develop a shared understanding, with MN-S, of the perceived impacts to the quality of resources; nor was MN-S provided the opportunity to contributed to the identification of appropriate mitigations.</p> <p>Mitigations to address perceived impacts must be informed by collaboration and contribution of MN-S.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>The effectiveness of the independent Indigenous monitoring program to mitigate potential effects is limited without a commitment from NexGen to collaborate with Indigenous Nations to apply adaptive management approaches to the operations, which are informed by the outcomes of Indigenous monitoring and associated Indigenous Knowledge.</p>	
640.	MN-S (October 19, 2022)	16.5.1.3.6, p. 16-91 Perceptions of Water, Fish, Plant and Wildlife Resource Quality	<p>“Benefit Agreements have been or are being negotiated with each potentially affected primary Indigenous Group. Within each Benefit Agreement, NexGen commits to provide resources, both monetary and human, to support community-related initiatives in areas such as health and wellness, education, and cultural and traditional values.”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list establishment of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S Cultural and Heritage Resources and Indigenous Land and Resource Use.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
641.	MN-S (October 19, 2022)	16.6, p. 16-108 to 16-109 Residual Effects Classification and Determination of Significance	<p>Table 16.1: Classification of Residual Effects on Indigenous Land and Resource Use Measurement Indicators</p> <p><u>Direction</u> Row of the Table for ALL measurement indicators</p> <p>The direction of all measurement indicators has been identified as negative.</p> <p>No positive effects have been identified for any indicators related to Indigenous Land and Resource Use under any of the Measurement Indicators.</p> <p>This data does not support an outcome of a “not significant”¹³ residual adverse effect on Indigenous land and resource use.</p>	
642.	MN-S (October 19, 2022)	16.6, p. 16-108 to 16-109	<p>Table 16.1: Classification of Residual Effects on Indigenous Land and Resource Use Measurement Indicators</p>	

¹³ EIS, Section 16.6.2, p. 16-114.

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Residual Effects Classification and Determination of Significance	<p><u>Duration</u> Row of the Table for ALL measurement indicators</p> <p>The durations listed for the Project range from medium-term (43 years) to long-term (100 years) however all measurement indicators for the RFD duration include short-term (25 year) impacts and links this to the experiential nature of Indigenous Knowledge transfer between generations.</p> <p>It is unclear how the cumulative impacts of the RFD Case would be shorter than the impacts of the Application case. Cumulative impacts will persist beyond the operational periods of both projects.</p> <p>It is also unclear how this timeframe is connected to intergenerational Knowledge Transfer by Indigenous land and resource users.</p> <p>This data does not support an outcome of a “not significant”¹⁴ residual adverse effect on Indigenous land and resource use.</p>	
643.	MN-S (October 19, 2022)	16.6, p. 16-108 to 16-109 Residual Effects Classification and Determination of Significance	<p>Table 16.1: Classification of Residual Effects on Indigenous Land and Resource Use Measurement Indicators</p> <p><u>Frequency</u> Row of the Table for ALL measurement indicators</p> <p>The frequency of all measurement indicators is listed as continuous.</p> <p>This data does not support an outcome of a “not significant”¹⁵ residual adverse effect on Indigenous land and resource use.</p>	
644.	MN-S (October 19, 2022)	16.8, p. 16-117 Monitoring, Follow-up, and Adaptive Management	<p>“NexGen has committed in the Benefit Agreement with each primary Indigenous Group to establish an Implementation Committee. The Implementation Committee is tasked with the responsibility of facilitating an effective ongoing working relationship between NexGen and the Indigenous Groups to verify that all commitments made with the Benefit Agreements are realized.”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is</p>	

¹⁴ Ibid.

¹⁵ Ibid.

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>not appropriate to list establishment of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S Cultural and Heritage Resources and Indigenous Land and Resource Use.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
645.	MN-S (October 19, 2022)	16.9, p. 16-118 Key Findings	<p>“In summary, residual adverse effects on Indigenous land and resource use were assessed as not significant for both the Application Case and the RFD Case. Small magnitude changes in the availability of resources, access to and area available for Indigenous land and resource use, and moderate magnitude changes in the quality of the Indigenous land use experience, are expected to be centred on the Patterson Lake area. Indigenous land and resource use activities may change or be displaced but are expected to continue with the application of mitigations including the Indigenous and Public Engagement Program and Benefit Agreements.”</p> <p>Please see previous comments for additional detail on each of the points summarized below:</p> <ul style="list-style-type: none"> • As a rights holder, MN-S should be afforded the opportunity to collaborate and contribute to the identification of mitigation and monitoring programs and the determination of significance for potential impacts to Indigenous land and resource use. • While the magnitude of impacts against measurement indicators may be listed as small and moderate, for all indicators the direction of change is negative, the frequency is continuous, and the time scale ranges from 25 years through 100 years. This data does not support a not-significant outcomes for impacts to Indigenous land and resource use. Further, reclamation and closure are not anticipated to result in a return of the land to the current ecotypes or vegetations. • Indigenous Land and Resource use is intrinsically tied to the land and the specific locale; similar availability of resources in adjacent areas does not necessarily reflect the ability to maintain MN-S cultural 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>practices. As such it is not appropriate to assume that abundance in the LSA or RSA is equivalent to the losses incurred due to the Project.</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list establishment of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S Cultural and Heritage Resources and Indigenous Land and Resource Use. The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
646.	MN-S (October 19, 2022)	17.0, p. i <i>Section Purpose</i>	<p>“The Other Land and Resource Use assessment used widely accepted scientific practices and incorporated Indigenous and Local Knowledge.”</p> <p>Indigenous Knowledge is a unique, but equal way of knowing. The term 'incorporated' implies that this Knowledge is not equal in importance to scientific data collection and instead can be absorbed within it.</p>	
647.	MN-S (October 19, 2022)	17.0, p. iv <i>Residual Effects Analysis (Section 17.5)</i> Access to, and Area Available for, Land and Resource Use	<p>“The Project and the Fission Patterson Lake South Property would not restrict small watercraft from navigation of Patterson Lake.”</p> <p>Consistent with text in Chapter 16, it is understood that "access to parts of Patterson Lake may be temporarily restricted during construction of in-lake infrastructure."</p>	
648.	MN-S (October 19, 2022)	17.0, p. iv <i>Residual Effects Analysis (Section 17.5)</i> Quality of the Resource Use Experience	<p>“Perceptions that mine activities adversely affect the quality of fish and wildlife for harvest.</p> <p>Perceptions of contamination at decommissioned facilities.”</p> <p>Text should, at a minimum, reflect “real or perceived” impacts.</p> <p>The exclusive use of “perceived” implies that the knowledge of the land and resource users (including MN-S land and resource users and their Indigenous</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			Knowledge) is not supported or equal in importance to scientific data collection.	
649.	MN-S (October 19, 2022)	17.0, p. v <i>Monitoring, Follow-up and Adaptive Management (Section 17.8)</i>	<p>“Meetings would be held with community members, commercial trappers, outfitters, and other potentially affected land users, as applicable, both independently and as part of the Indigenous and Public Engagement Program.”</p> <p>It is unclear if engagement that has been undertaken with these parties to develop a relationship and increase NexGen's understanding of land and resource user perspectives and ultimately inform the assessment.</p>	
650.	MN-S (October 19, 2022)	17.2.1, p. 17-10 Incorporation of Indigenous and Local Knowledge	<p>“Another key source of Indigenous and Local Knowledge was information shared by Indigenous Group representatives during Joint Working Group meetings. The Joint Working Groups represent an agreed-upon primary engagement mechanism as outlined in the Study Agreements signed by each of the primary Indigenous Groups and NexGen.”</p> <p>While the Joint Working Group may be agreed upon as an engagement mechanism, it should not be assumed that information shared through the Joint Working Group constitutes Indigenous Knowledge nor that consent for the use of this Indigenous Knowledge has been provided.</p>	
651.	MN-S (October 19, 2022)	17.2.1, p. 17-11 Incorporation of Indigenous and Local Knowledge	<p>“Comments submitted by Indigenous Groups on the Project Description ... were also reviewed for applicable Indigenous and Local Knowledge.</p> <p>Indigenous and Local Knowledge related to Other Land and Resource Use was incorporated into the assessment by viewing the information as complimentary and influential alongside scientific information.”</p> <p>It is unclear what process NexGen undertook to verify and/or confirm permissions to use information identified by NexGen as Indigenous Knowledge through document and comment review processes.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
652.	MN-S (October 19, 2022)	17.2.2.3, p. 17-13 Assessment Endpoints	<p>“The endpoint used in this assessment is continued level of opportunities for Other Land and Resource Use. The level of opportunity is dynamic as it is subject to factors such as markets, business fluctuations, and government policies; however, the level refers to the amount of access, the availability of resources and the quality of resources and resource use experience.”</p> <p>Given the caveats provided on the assessment endpoints, it is unclear how the assessment endpoint will be determined and used to guide the determination of significant effects on Other Land and Resource Use.</p>	
653.	MN-S (October 19, 2022)	17.2.6, p. 17-21 Existing Conditions	<p>“Quantitative recreational hunting harvests and participation levels, commercial trapping production and value, and commercial fishing production by lake and by species were available from ENV databases. The data sources were retrieved by request from government officials and, in the case of fur production, from annual reports ...”</p> <p>It is unclear from this statement if Indigenous commercial and recreational use is represented within this data.</p>	
654.	MN-S (October 19, 2022)	17.2.6, p. 17-22 Existing Conditions	<p>“To validate the data, cabins documented in at least two of the four sources were considered for the assessment. Completing this verification process improved the reliability of the data given that the presence of resource user cabins may now be known to the Wildlife Management Branch depending on whether cabin owners applied for Crown Land leases or not.”</p> <p>It is unclear from this text what process was undertaken to validate the data; further the use of 'at least two of the four sources' does not provide any detail or clarity about which of the source were verified.</p>	
655.	MN-S (October 19, 2022)	17.2.6, p. 17-22 Existing Conditions	<p>“The IKTLU Studies supported the integration of Indigenous and Local Knowledge into the assessment.”</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>The use of "integration of Indigenous and Local Knowledge" does not reflect current best practices that acknowledge Indigenous Knowledge as an equal but different way of knowing (than western science). This terminology implies that Indigenous Knowledge can be absorbed into a scientific approach.</p>	
656.	MN-S (October 19, 2022)	17.2.7, p. 17-23 Project Interactions and Mitigations	<p>No Pathway: Analysis revealed that the pathway could be removed (i.e., effect is avoided) by mitigation so that the Project would result in no measurable environmental change relative to existing conditions or guideline values and, therefore, would have no residual effect on Other Land and Resource Use.</p> <p>No mitigation is guaranteed to avoid an effect; mitigations are intended to minimize potential effects.</p>	
657.	MN-S (October 19, 2022)	17.2.8, p. 17-24 Residual Effects Analysis	<p>A qualitative assessment was conducted on potential changes...changing perceptions concerning the potential quality of country foods for consumption...</p> <p>It is unclear how the Other Land and Resource Use VC measurement indicator for changes in quality of resources and the quality of resource use experience related to perceptions concerning the potential quality of country foods for consumption under the Other Land and Resource Use VC is distinguished and unique from the assessment of Indigenous land and resource use measurement indicator for changes in the quality of resources and the quality of resource use experience.</p>	
658.	MN-S (October 19, 2022)	17.3.2, p. 17-32 Commercial Trapping	<p>This subsection focuses on trapping for commercial purposes, whereas trapping for traditional purposes by Indigenous Peoples is described in Section 16.3, though it is noted that trapping for commercial purposes and for sustenance (i.e., traditional purposes) are performed concurrently.</p> <p>It remains unclear how Section 16 and Section 17 have considered Indigenous land and resource use.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Section 35(2) of the <i>Constitution Act</i> (1982) outlines Aboriginal rights and Treaty rights and does not distinguish between commercial, recreational, and other uses of the land. As such, assessment of Indigenous land and resource use should be considered holistically. It is not appropriate to separate Indigenous land and resource uses for assessment under two different VCs.</p>	
659.	MN-S (October 19, 2022)	17.3.2.1, p. 17-32 History of Commercial Trapping	<p>Indigenous Peoples in northern Saskatchewan have been involved in trapping fur-bearing animals for commercial purposes since the 1700s.</p> <p>This statement directly contradicts the text in 17.3.2 which indicates that Indigenous commercial trapping is not considered within this discussion.</p>	
660.	MN-S (October 19, 2022)	17.3.2.2, p. 17-33 Commercial Trapping in the Regional Study Area	<p>Trapping still provides benefits to trappers and their families, including money from fur sales, meat from certain species and some use of furs for domestic purposes, such as moccasins and gloves. Trapping continues to be a source of supplemental income for many, bringing in between \$1.5 million and \$6.0 million per annum for 4,500 trappers.</p> <p>The values and benefits discussed here also apply to Indigenous land and resource users.</p>	
661.	MN-S (October 19, 2022)	17.3.5, p. 17-45 Cabins	<p>The status of these cabins, whether historical, current, or planned for the future, was not available, and these locations could not be validated when cross-referenced with three other sources of information.</p> <p>It is unclear what other information sources were used to attempt to verify the location of cabins identified through the trappers' workshop; in particular it is unclear if data validation included field programs or ground-truthing.</p> <p>Indigenous Knowledge is a unique, but equal way of knowing, which cannot necessarily be verified through a data or source review against scientifically collected data.</p>	
662.	MN-S (October 19, 2022)	17.4, p. 17-52 Project Interactions and Mitigations	<p>Note that mitigation measures are intended to address Indigenous and non-Indigenous land users and recognize there is considerable overlap between the two. The intent is to accommodate all, and not exclude any individuals,</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>involved in Other Land and Resource Use. It is acknowledged that many mitigation measures outlined below (e.g., grievance mechanisms) would also overlap with mitigation measures presented in Section 16. This approach is intended to collectively address all land users, both Indigenous and non-Indigenous, across these two sections.</p> <p>It is confusing and unclear to the reader what has been assessed and mitigated with respect to Indigenous land and resource users in Chapter 16 and Chapter 17. Further the separation of the assessment of Indigenous land and resource uses between two chapters dilutes the assessment of potential impacts to Indigenous land and resource users and does not respect Indigenous nations, including MN-S, as rights holders who have distinct rights under Section 35(2) of the <i>Constitution Act</i> (1982).</p>	
663.	MN-S (October 19, 2022)	17.4, p. 17-53 to 17-54 Project Interactions and Mitigations	<p>Table 17.4-1 Potential adverse effects pathways for Other Land and Resource Use</p> <p>Environmental Design Features and Mitigation for OLU-01/OLU-02/OLU-03/OLU-04:</p> <p>...Implement Project Benefit Agreements...</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p>	
664.	MN-S (October 19, 2022)	17.5.1.1, p. 17-61 Access to and Area Available for Land and Resource Use	<p>The Project is not predicted to restrict access to or between the lakes in the Other Land and Resource Use LSA.</p> <p>Consistent with text in Chapter 16, it is understood that "access to parts of Patterson Lake may be temporarily restricted during construction of in-lake infrastructure."</p>	
665.	MN-S (October 19, 2022)	17.6.2, p. 17-71 Significance	Due to the Project remote location, resource use for commercial and recreational purposes is nominal (meaning virtually absent but not	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Determination	<p>confirmed to be zero), and only two resource user groups were identified as potentially affected: Trappers and lodge and outfitting clientele.</p> <p>The findings of Section 17 identify trappers as potentially effected land and resource users, however Section 16¹⁶ which focuses on Indigenous land and resource use found that 'residual adverse effects on Indigenous land and resource use are anticipated to be not significant.</p>	
666.	MN-S (October 19, 2022)	17.6.2, p. 17-72 Access to, and Area Available for, Land and Resource Use	<p>Should a loss of income occur, there are remedies such as trapping compensation agreements that have been implemented successfully with trappers around five mining operations in northern Saskatchewan.</p> <p>It is unclear if this text is indicating that the Province of Saskatchewan would be responsible for implementing mitigations such as trapping compensation or if the proponent would be responsible for such compensation. It is also unclear if NexGen is proposing trapping compensation as a potential Project mitigation measure for a loss of trapper income.</p>	
667.	MN-S (October 19, 2022)	17.7, p. 17-75 Predication Confidence and Uncertainty	<p>Uncertainty was managed by: ...</p> <p>Validation with Indigenous and Local Knowledge where possible;...</p> <p>Additional information regarding the process of validation with Indigenous Knowledge should be provided. Other sections of the EIS note that this validation was undertaken through review of meeting notes and discussions at Joint Working Group. Third party review of meeting records and notes is not equivalent to data validation by potentially affected parties.</p> <p>Data verification should involve collaboration with MN-S as rights holders and Indigenous land and resource users. This data verification with MN-S should include the opportunity to review, revise, and contribute to EIS content.</p>	
668.	MN-S (October 19, 2022)	18.0, p.i	“The selection was also informed by Indigenous and Local Knowledge	

¹⁶ Section 16.6.2, Significance Summary, page 16-114.

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Section Purpose	<p>obtained from Indigenous Knowledge and Traditional Land Use Studies and Joint Working Groups, and feedback received during community engagement sessions.”</p> <p>The use of “obtained” when referring to Indigenous Knowledge implies that the information shared was “taken” by the proponent. This does not align with best practices and acknowledgement of Indigenous Knowledge as a unique but equal way of knowing.</p> <p>It is also unclear what process NexGen took to verify and confirm that Indigenous Knowledge was applied in a manner that involved, and was acceptable to, the Indigenous nations.</p>	
669.	MN-S (October 19, 2022)	18.0, p. iii <i>Project Interactions, Mitigations, and Benefit Enhancement (Section 18.4)</i>	<p>“... NexGen is in the process of negotiating Benefit Agreements with primary Indigenous Groups in the LSA ... they are premised on commitments including proactively engaging with local communities; supporting the economic participation of affected communities ... Implementation of items agreed to in Benefit Agreements is also expected to reduce adverse effects and enhance beneficial effects on the economy.”</p> <p>Currently, there is no agreement in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S economic impacts.</p> <p>Further, proposed mitigations should be clearly outlined. Text such as “supporting the economic participation of affected communities” is ambiguous and open to interpretation.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
670.	MN-S (October 19, 2022)	18.0, p. iv <i>Employment</i>	<p>“Should the aspirational target of 75% local employment be achieved, an estimated 365 positions during Operations would be filled by members of the LSA. Employment would continue during Closure, but at a decreased level compared to Operations.”</p> <p>Has NexGen established aspirational targets for hiring of Indigenous Peoples in addition to members of the LSA? Employment targets—as well as</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			Education and Training, and Business and Contracting—should be established to support the Indigenous Economy and considered within the assessment.	
671.	MN-S (October 19, 2022)	18.0, p. v <i>Monitoring, Follow-up, and Adaptive Management (Section 18.7)</i>	<p>“In Benefit Agreements with Indigenous Groups, NexGen has committed to establishing an Implementation Committee which would facilitate an effective, ongoing working relationship between NexGen and the Indigenous Group, and verify that all commitments made within the Benefit Agreements are realized.”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S economic impacts.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>Further, it is unclear what mechanisms will be available to Indigenous Groups—without a Benefit Agreement in place—to realize the benefits and mitigations identified within the EIS.</p>	
672.	MN-S (October 19, 2022)	18.2.2.2, p. 18-11 <i>Measurement Indicators</i>	<p>“Nine measurement indicators were identified for the economy VC (Table 18.2-1): ...</p> <ul style="list-style-type: none"> • Indigenous community participation and employment in the traditional economy; • income: <ul style="list-style-type: none"> • personal income and household income, and wage income and traditional economy income; ...” <p>While text on page 18-10 provides some context on the traditional economy, it is unclear what NexGen is referring to with when referencing “employment in the traditional economy”. Participation in traditional practices, and the traditional economy, does not necessarily equate to employment or an</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>affiliation with a business or commercial operation.</p> <p>Further, distinguishing between wage income and traditional income supports the perspective that Indigenous Peoples may participate in the traditional economy, and earn income from these practices, independent of employment, which provides a wage.</p>	
673.	MN-S (October 19, 2022)	18.2.2.3, p. 18-12 <i>Assessment Endpoints</i>	<p>Table 18.2-1 Valued Component Rationale, Measurement Indicators, and Assessment Endpoints</p> <p>Assessment Endpoints</p> <ul style="list-style-type: none"> • Enhancing the participation of local Indigenous and non-Indigenous individuals in employment, income, education and training opportunities. • Enhancing Indigenous and locally owned business and opportunities. ... <p>Maintaining opportunities to participate in the traditional economy.”</p> <p>While it is recognized that "assessment endpoints are qualitative expressions that represent the key properties of VCs that should be protected", the terminology used to define the assessment endpoints, in particular the term “enhancing” is subjective, not qualitative. It is unclear how NexGen will confirm that the assessment endpoints have been met.</p> <p>In addition, as rights holders, opportunities for Indigenous Nations and Indigenous individuals should be considered independently of non-Indigenous communities. Similarly, it is unclear why only the traditional economy has been identified to be maintained, when all other assessment endpoints are intended to be enhanced. Opportunities to enhance the traditional economy can and should be explored through collaboration with MN-S.</p>	
674.	MN-S (October 19, 2022)	18.2.6, p. 18-18 Existing Conditions	“Joint Working Group discussions, IKTLU Studies, and workshops ... assisted in identifying existing economic conditions and related community	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>interests and concerns, as well as supported data triangulation (e.g., cross-referencing) to verify the data was accurate and representative of the communities.”</p> <p>This text seems to be missing some content, in particular following “as well as”.</p> <p>Verification that Indigenous Knowledge has been used accurately and appropriately, should be completed by the potentially affected Indigenous Nation. NexGen reviewing primary sources of Indigenous Knowledge (i.e., IKTLU Studies) or performing data-triangulation (e.g., cross-referencing) <i>cannot</i> be considered verification that data is an accurate representation of the Indigenous community experience.</p> <p>As rights holders, MN-S should have the opportunity to collaborate in data verification, including the opportunity to review, revise, and contribute to the characterization of existing conditions with the MN-S Homeland.</p>	
675.	MN-S (October 19, 2022)	18.2.6.2, p. 18-20 Existing Conditions	<p><i>Key Person Interview Program</i></p> <p>“A total of 73 interviews were conducted with community members ...</p> <p>Interviews were conducted with the consent of individual interview participants and community leadership. Community coordinators were hired and trained to assist in identifying participants in the KP interview program. Interviews were conducted in La Loche (20 interviews), BNDN / Turnor Lake (9 interviews), BRDN (16 interviews), Buffalo Narrows (24 interviews), other hamlets and villages (3 interviews), and the Meadow Lake Tribal Council (1 interview).”</p> <p>It is unclear from this text how many Key Person (KP) interviews were undertaken with Indigenous Peoples and non-Indigenous Peoples. It is also unclear which Indigenous communities were invited to participate in this process. As a rights holder, MN-S should have the opportunity to participate and be represented in the KP interview program.</p>	
676.	MN-S (October 19, 2022)	18.2.7, p. 18-23 Project Interactions, Mitigations, and	“Project interactions determined as no pathway, secondary pathways, or beneficial pathways were not carried forward for further assessment	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Benefit	(Section 6.7.3.)” This text appears to be missing some content and should be reviewed and updated.	
677.	MN-S (October 19, 2022)	18.3.7.1.3, p. 18-61 to 18-62 Mining-Specific Training	“The MPTP was a collaborative effort developed by government, industry, and local public and Indigenous communities to maximize training and advancement opportunities in the uranium sector.” MN-S request that abbreviations (i.e., MPTP) are spelled out at first use within a section. It is unclear what this abbreviation stands for.	
678.	MN-S (October 19, 2022)	18.3.7.2, p. 18-62 <i>Educational Attainment</i>	“The majority of the population in the LSA (i.e., 56.3%) and RSA (i.e., 50.8%) have less than a high school certificate, compared to approximately 20% of the Province of Saskatchewan.” Given that students generally graduate high school at the age of 17 or 18, the inclusion of individuals under the age of 17 in this dataset dilutes the accuracy of the results.	
679.	MN-S (October 19, 2022)	18.4, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	<p>Table 18.4-1: Effects Pathways for Economy</p> <p>E-01, Mitigation and Benefit Enhancement Policies and Actions Column includes:</p> <ul style="list-style-type: none"> • “Provide dedicated space for Elders to be available to support employees to assist with employee retention. ... • Implement provisions of Benefit Agreements related to employment and training.” <p>It is unclear how exactly a dedicated space for Elders would function to assist with employee retention. How would Elder's be compensated for their time and Knowledge, what are the expectations associated with this role, and who would be afforded the opportunity to participate?</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of a Benefit Agreement as mitigation to reduce effects to MN-S.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
680.	MN-S (October 19, 2022)	18.4, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	<p>Table 18.4-1 Effects Pathways for Economy</p> <p>Mitigation and Benefit Enhancement Policies and Actions column includes:</p> <p>“E-02 ...</p> <ul style="list-style-type: none"> • Develop and maintain a business opportunities workplan that describes the steps NexGen and each primary Indigenous Group would take to achieve the desired outcomes of the respective Benefit Agreement.” <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of a Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
681.	MN-S (October 19, 2022)	18.04, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	<p>Table 18.4-1 Effects Pathways for Economy</p> <p>E-02 Mitigation and Benefit Enhancement Policies and Actions Column - all content</p> <p>The text within the assessment clearly outlines the interest and importance of local business to Indigenous Groups in the LSA. None of the mitigations identified however, include opportunities to support the start-up of local businesses and support Indigenous entrepreneurs.</p>	
682.	MN-S (October 19, 2022)	1.4, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	<p>Table 18.4-1 Effects Pathways for Economy</p> <p>Effects Pathway column...</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>“E-04 ...</p> <ul style="list-style-type: none"> Benefit Agreements include payments to Indigenous Groups based on revenue generated throughout the life of the Project.” <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as beneficial pathway for MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p>	
683.	MN-S (October 19, 2022)	18.4.1, p. 18-72 Beneficial Pathways	<p>"The analysis of beneficial effects on the economy considers that NexGen is in the process of negotiating Benefit Agreements with Indigenous Groups in the LSA and has signed agreements with three groups. Although details of these agreements are confidential and have not been finalized for all Indigenous Groups, they are premised on commitments described in NexGen's Integrated Management System Policy including proactively engaging with local community; supporting the economic participation of affected communities; seeking to provide opportunities resulting in sustainable, lasting benefits to local communities beyond the Project lifespan; and providing clear and timely information to those who have a direct interest in the Project."</p> <p>This comment applies to all text in subsections of 18.4.1 which reference and discuss NexGen's establishment of Benefit Agreements, including text that outlines anticipated commitments within the Agreements.</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as beneficial pathway for MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied. In addition, it is not appropriate for NexGen to assess and consider the benefits of a theoretical</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			agreement for Indigenous Groups with no agreement, or certainty about the identified benefits, in place.	
684.	MN-S (October 19, 2022)	18.4.3, p. 18-88 Secondary Pathways	<p>“E-05: Population migration</p> <p>... most, if not all in-migration would be anticipated to be former residents, which would be viewed by most as a positive outcome (i.e., relatives returning home).”</p> <p>Earlier text in this assessment (and further in this passage) indicates that the Project will include several specialized jobs that will require specific skills sets that may not be available within the LSA workforce. While NexGen has identified a willingness to implement mitigation to minimize in-migration, this does not provide data to support the assumption that in-migration will be limited (almost entirely) to former residents.</p>	
685.	MN-S (October 19, 2022)	18.8, p. 18-91 Key Findings	<p>“Sustainable economic opportunities associated with the Project also form part of the signed Benefit Agreements with Indigenous Groups.”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as a source of sustainable economic opportunity for MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied. In addition, it is not appropriate for NexGen to assess and consider the benefits of a theoretical agreement for Indigenous Groups with no agreement, or certainty about the identified benefits, in place.</p>	
686.	MN-S (October 19, 2022)	18.8, p. 18-93 Key Findings	<p>“Mitigation, enhancement, and monitoring are proposed to sustainably maximize economic opportunities these include ...</p> <ul style="list-style-type: none"> • Providing a dedicated space for Elders to be available to support Indigenous employees.” 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>It is unclear how a dedicated space for Elders would function to assist with Employee Retention. How would Elder's be compensated for their time and Knowledge, what are the expectations associated with this role and who would be afforded the opportunity to participate?</p>	
687.	MN-S (October 19, 2022)	19.0, p. i <i>Section Purpose</i>	<p>“The assessment of effects on community well-being was informed by the assessments completed for Indigenous land and resource use, Other Land and Resource Use, and economy. Results from the assessment of community well-being did not provide inputs to other EIS Sections.”</p> <p>Human Health and Community well-being are closely linked, as such a robust assessment of community well-being should be informed by the Human Health Effects Assessment.</p> <p>MN-S request the assessment of community well-being is updated to include consideration of the Human Health Effects Assessment.</p>	
688.	MN-S (October 19, 2022)	19.0, p. vi <i>Project Interactions, Mitigations and Benefit Enhancement (Section 19.4)</i>	<p>“Proposed mitigation and enhancement measures would reduce adverse effects and enhance beneficial effects on the local communities. Measures would include the development of culturally-sensitive employment policies, provision of dedicated space for Elders ...”</p> <p>It is unclear how a dedicated space for Elders would function to assist with Employee Retention. How would Elder's be compensated for their time and Knowledge, what are the expectations associated with this role and who would be afforded the opportunity to participate?</p> <p>MN-S request additional detail is provided, and included within the EIS, related to dedicated space for Elders as a mitigation to support employee retention.</p>	
689.	MN-S (October 19, 2022)	19.0, p. vi <i>Project Interactions, Mitigations and Benefit Enhancement (Section 19.4)</i>	<p>“... NexGen is in the process of negotiating Benefit Agreements with Indigenous Groups in the LSA ... [a]lthough details of these agreements are confidential and have not been finalized for all Indigenous Groups, they are premised on commitments including proactively engaging with local communities; supporting the economic participation of affected communities; seeking to provide opportunities resulting in sustainable,</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>lasing benefits to local communities beyond the Project lifespan; and providing clear information to those who have a direct interest in the Project. Implementation of items agreed to in Benefit Agreements is also expected to reduce adverse effects and enhance beneficial effects on community well-being.”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.</p>	
690.	MN-S (October 19, 2022)	19.0, p. viii Demand for Community Infrastructure and Services	<p>“... it is expected that support in the Benefit Agreements and the Community Vitality Monitoring Partnership Program (CVMPP) would work towards minimizing residual cumulative effects. The CVMPP is a multi-stakeholder group that includes mine operators, health authorities, and the provincial government that completes or commissions research on topics related to quality of life in northern Saskatchewan at a regional scale ...”</p> <p>Currently, no agreement is in place with MN-S for the Project; it is therefore not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S. Similarly based on the description provided the CVMPP does not include representation of Indigenous Groups. As such these mitigations to address the demand for community infrastructure are not applicable to MN-S.</p> <p>MN-S request this text is updated to reflect how Indigenous Groups without a Benefit Agreement in place will realize the mitigations for community infrastructure and services.</p>	
691.	MN-S (October 19, 2022)	19.1, p. 19-4	Figure 19.1-3 Community Well-Being elements	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Introduction	<p><i>AND</i></p> <p>“The assessment of effects on community well-being relies on inputs from Indigenous land and resource use ... Other Land and Resource Use ... and the economy. Results from the assessment of community well-being do not provide inputs to other EIS sections.”</p> <p>Figure 19.1-3 Community Well-being Elements includes: Societal and Cultural, Health, Neighbourhood and Physical Environment, Educational and Economic, however the text does not identify a linkage between the Human Health Assessment and the Community well-being assessment.</p> <p>It is further noted that text in the introduction references mental health but makes no other reference to the influence on health on community well-being. Human Health and Community well-being are closely linked, as such a robust assessment of community well-being should be informed by the Human Health Effects Assessment.</p> <p>MN-S request the assessment of community well-being is updated to include consideration of the Human Health Effects Assessment.</p>	
692.	MN-S (October 19, 2022)	19.2.1, p. 19-10 Incorporation of Indigenous Knowledge	<p>“Comments submitted by Indigenous Groups on the Project Description ... were also reviewed for applicable Indigenous and Local Knowledge.”</p> <p>The use of Indigenous Knowledge should be subject to the protocols and permissions of the Indigenous Nations who share that Knowledge. In addition, the use of Indigenous Knowledge should be verified by Indigenous land and resource users to ensure that it has been applied appropriately and as intended. MN-S requested the opportunity to review and contribute to the EIS prior to submission, but NexGen did not meet this request.</p> <p>Further, unless explicitly directed otherwise, the provision of comments on a document review is not synonymous with sharing Indigenous Knowledge for the purposes of an impact assessment.</p> <p>MN-S request that NexGen update text to reflect any verification process undertaken to confirm the application of Indigenous Knowledge.</p>	

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			<p>MN-S request NexGen update text within the EIS to reflect that a verification process was not undertaken to ensure that the application of MN-S Knowledge was appropriately applied within the assessment. This comment is applicable to all content within the EIS and should be updated globally.</p>	
693.	MN-S (October 19, 2022)	19.2.2.2, p. 19-13 Measurement Indicators	<p>Table 19.2-1 Measurement Indicators, Supporting Indicators, and Factors Considered</p> <p>Health well-being row</p> <p>Holistic consideration of health well-being requires consideration of potential health impacts associated with the Project. As such the outcomes of the human health risk assessment should inform the supporting indicator of overall health.</p> <p>MN-S request the inclusion and consideration of the Human Health Risk Assessment within the Community well-being assessment, particularly as it relates to the health well-being measurement indicator.</p>	
694.	MN-S (October 19, 2022)	19.2.6, p. 12-20 Existing Conditions	<p>“A Joint Working Group session in 2020 was specifically developed to discuss community definitions of well-being, the factors that both contribute to and detract from well-being, and how participants felt the proposed Project might interact with these factors.”</p> <p>It is unclear who participated in this working group and what definitions were provided for well-being and the factors that contribute to and detract from well-being.</p> <p>MN-S requests additional detail is included within the EIS to reflect the participants and Knowledge that was shared and applied to this assessment.</p>	
695.	MN-S (October 19, 2022)	19.2.6.5, p. 19-25 Existing Conditions <i>COVID-19 Impacts</i>	<p>“An LGBTQ2S+ (Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Two-Spirit plus) workshop was postponed ... and later cancelled based on the change in participants' willingness to participate, which was respected.”</p> <p>The use of LGBTQ2S+ without reference to people or community diminishes the identify of those that are members of the LGBTG2S+ community to a</p>	

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			<p>label. It is also unclear if the scope of the workshop was intended to include LGBTQ2S+ allies and family members.</p> <p>MN-S request that this terminology is updated to acknowledge members of the LGBTQ2S+ community as people. For example, the text could be revised to state “a workshop to engage with members of the LGBTQ2S+ community was postponed ...”.</p>	
696.	MN-S (October 19, 2022)	19.2.11, p. 19-31 Monitoring, Follow-up and Adaptive Management	<p>“NexGen has demonstrated a commitment to working with LSA Indigenous Groups and communities to realize the potential socio-economic benefits the Project would provide.”</p> <p>This statement is ambiguous, and it is unclear what demonstration of commitment is being referenced.</p> <p>MN-S request NexGen revise this text within the EIS to support the statement that NexGen has demonstrated a commitment, and further note that implementation of a yet to be negotiated Benefit Agreement is not a demonstration of NexGen's commitment to working with MN-S.</p>	
697.	MN-S (October 19, 2022)	19.3.1.1.3.2, p. 19-38 <i>Buffalo Narrows</i>	<p>“The Buffalo Narrows population is predominantly Métis (i.e., 80.2%) with some First Nations (i.e., 19.8%).”</p> <p>This text is contradictory to the content included on the preceding page (19-37) which states:</p> <p>"La Loche and Buffalo Narrows are described in this subsection because Métis are the majority population of the various groups (i.e., 50.0% in La Loche and 65.8% in Buffalo Narrows)."</p> <p>MN-S request NexGen review and revise this content for accuracy and consistency.</p>	
698.	MN-S (October 19, 2022)	19.3.1.2.2, p. 19-41 Community Context	<p>Métis Nation–Saskatchewan Northern Region 2</p> <p>It is noted that the content to describe the MN-S community context is informed entirely by engagement in 2020 and does not include any context from NexGen's KP Interview program. While it is acknowledged that the COVID-19 pandemic limited in person engagement, this assessment has</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>identified that remote and digital engagement has been ongoing.</p> <p>MN-S request NexGen review this content and update it to reflect inputs from the KP Interview Program and engagement activities in 2021. If no additional information is available, TWC recommends MN-S request that NexGen provide rationale for the 2021 data gap.</p>	
699.	MN-S (October 19, 2022)	19.4, p. 19-97 to 19-100 Project Interactions and Mitigations	<p>Table 19.4-1 Effects Pathways for Community well-being¹⁷</p> <p>Environmental Design Features, Mitigation, and Enhancements column:</p> <p>"CWB-01 ...</p> <ul style="list-style-type: none"> • Provide dedicated space for Elders to be available to support employees to assist with employee retention. ... • Implement items as agreed to in the Benefit Agreements related to culture and traditional values. ... • Establish an Implementation Committee to provide a forum for regular communication and information exchange between NexGen and communities for effective management of the Benefit Agreement Commitments and for early resolution of issues and/or disputes that may arise. ... <p>CWB-03 ...</p> <ul style="list-style-type: none"> • Implement provisions of Benefit Agreements related to culture, traditional values, employment, training and economic development, and including: • funding and human resources ..." <p>It is unclear how a dedicated space for Elders would function to assist with Employee Retention. How would Elder's be compensated for their time and</p> 	

¹⁷ Emphasis in original

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Knowledge, what are the expectations associated with this role and who would be afforded the opportunity to participate?</p> <p>TWC suggests that MN-S request additional detail is provided, and included within the EIS, related to dedicated space for Elders as a mitigation to support employee retention.</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.</p>	
700.	MN-S (October 19, 2022)	19.4, p. 19-97 Project Interactions and Mitigations	<p>Table 19.4-1 Effects Pathways for Community well-being¹⁸</p> <p>Environmental Design Features, Mitigation, and Enhancements column:</p> <p>“CBW-03</p> <ul style="list-style-type: none"> • Work with local Indigenous Groups and communities to develop fishing policies that consider both fisheries protection and traditional use activities.” <p>It is unclear in what jurisdiction NexGen must develop, implement, and enforce fishing policies.</p> <p>MN-S requests additional detail is provided, and included in the EIS, regarding this proposed mitigation including what is within the authority of NexGen to implement and enforce with respect to fishing policies.</p>	

¹⁸ Emphasis in original

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701.	MN-S (October 19, 2022)	19.4.1, p. 19-102 Beneficial Pathways	<p>CWB-09: Increased Income</p> <p>“Currently, NexGen is negotiating a Benefit Agreement with the MN-S ... [t]he Benefit Agreements stipulate that NexGen and each primary Indigenous Group would, among other things ...”</p> <p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.</p>	
702.	MN-S (October 19, 2022)	19.4.1, p. 19-102 Beneficial Pathways	<p>CWB-09: Increased Income</p> <p>“In addition to the commitments under the Benefit Agreements, NexGen is committed to:</p> <ul style="list-style-type: none"> • providing dedicated space for Elders to be available to support employees and assist with employee retention; ...” <p>It is unclear how a dedicated space for Elders would function to assist with Employee Retention. How would Elder's be compensated for their time and Knowledge, what are the expectations associated with this role and who would be afforded the opportunity to participate?</p> <p>MN-S request additional detail is provided, and included within the EIS, related to dedicated space for Elders as a mitigation to support employee retention.</p>	
703.	MN-S (October 19, 2022)	19.4.1, p. 19-104 Beneficial Pathways	<p>CWB-11: Payments to Indigenous Groups</p> <p>“Benefit Agreements include payments to primary Indigenous Groups based on revenue generated throughout the life of the Project.”</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.</p>	
704.	MN-S (October 19, 2022)	19.5.1.1, p. 19-116 Access Restrictions and Avoidance	<p>“If uses in proximity to the Project footprint continue and are encouraged through Construction and Operation, the duration of avoidance may be reduced.”</p> <p>It is unclear who will be encouraging continued use of the land in proximity to the Project footprint, or what methods would be employed to build confidence and trust in the safety and ability to continue traditional practices on the land. Encouragement in and of itself is not an effective mitigation measure.</p> <p>MN-S request that this text in the EIS is updated to provide additional detail is provided regarding encouragement as a mitigation measure for avoiding lands in the proximity of the Project. If sufficient detail is not available to support this as a robust mitigation measure, TWC recommends that MN-S request this content is removed from the EIS.</p>	
705.	MN-S (October 19, 2022)	19.5.2.1, p. 19-122 to 19-123 Access Restrictions and Avoidance	<p>“The Benefit Agreement would provide cultural supports that contribute to cultural continuity.”</p> <p>This is a broad and vague statement that provides no details regarding the proposed mitigation and should be removed.</p> <p>Further, currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>MN-S request that this text is removed and that implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.</p>	
706.	MN-S (October 19, 2022)	19.6.2, p. 19-128 Application Case	<p>“... while effects on social adaptability from the worker rotation system, and changes in demand for community infrastructure and services are expected to range from periodic to continuous ...”</p> <p>This text contradicts the information provided in Table 19.6-1 which identifies the frequency of Social Adaptability and demand for community infrastructure to be continuous for both the Application Case and the RFD case.</p> <p>MN-S request the EIS content is reviewed and updated for consistency and accuracy.</p>	
707.	MN-S (October 19, 2022)	19.6.2, p. 19-127 Application Case	<p>“In the Application Case, residual effects due to access restrictions and avoidance of areas near the Project and the worker rotation system are expected to be negative and negligible to small in magnitude.”</p> <p>Table 19.6-1 Direction, duration, frequency and probability rows for all measurement indicator groupings are listed as negative, long-term, continuous and probable or certain. While magnitude is an important consideration, it is unclear what (if any) steps NexGen has taken to confirm or verify the determination that these residual effects are low.</p> <p>MN-S request NexGen undertake engagement to verify these outcomes with Indigenous Groups and potentially affected Peoples and update this content to provide further rationale for the classification of residual effects.</p>	
708.	MN-S (October 19, 2022)	19.8, p. 19-131 Monitoring, Follow-up and Adaptive Management	<p>“... NexGen has committed in the Benefit Agreements with each primary Indigenous Group to establish an Implementation Committee ... [that] would be task with the responsibility of facilitating an effective ongoing working relationship and confirming that all commitments made within the Benefit Agreements are realized.”</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>Currently, no agreement is in place with MN-S for the Project. As such, it is not appropriate to list implementation of an Impact-Benefit Agreement as mitigation to reduce effects to MN-S.</p> <p>The terms of the agreement will be subject to a negotiation process with MN-S and the outcomes may vary from those presented and therefore are not an accurate reflection of mitigation that will be applied.</p> <p>MN-S request that this text is removed and that implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS. In addition, NexGen should provide additional detail regarding how Indigenous Groups without a Benefit Agreement in place would realize these benefits and/or mitigations</p>	
709.	MN-S (October 19, 2022)	19.9, p. 19-133 Key Findings	<p>“For both the Application and the RFD Case, the residual effects are predicted to be not significant to the community well-being VC. ... The Project is anticipated to cause incremental and cumulative effects on community well-being.”</p> <p>When all the well-being elements are considered together, the Project is anticipated to result in a beneficial outcome for the LSA, particularly if mitigation and enhancement are implemented effectively.</p> <p>The closing text for this chapter references a beneficial outcome, however all supporting information and facts speak to potential impacts. It is unclear how the following factors (listed in the text) contribute to an overall beneficial outcome:</p> <p>“... incremental and cumulative effects on community well-being ... changes to cultural continuity from access restriction, social adaptability from the inclusion of the worker rotation system, and subsequent changes in demand for community infrastructure ...”</p> <p>MN-S request this content is updated to provide additional detail regarding a beneficial effect on community well-being and that outcomes, particularly as they relate to Indigenous Rights and Interest (e.g., cultural continuity) are</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			verified with Indigenous Groups. Discussion of the verification process should be included in the EIS.	
710.	MN-S (October 19, 2022)	21, p. ii <i>Risk Assessment Approach (Section 21.5)</i>	<p>“The process taken to identify transportation hazard scenarios considered the potential for the release of chemical or radiological constituents to the aquatic, terrestrial, and atmospheric environments.”</p> <p>It is also feasible and likely that there may be vehicle malfunctions or accidents that could result in a vehicle fire, which has the potential to impede use of the roadway and/or spread including potential to become a wildfire situation.</p> <p>MN-S request that a hazard scenario related to vehicle fires is considered and included within the EIS.</p>	
711.	MN-S (October 19, 2022)	21.2.2, p. 21-8 Transportation Route	<p>“For the purpose of this assessment, the transportation route for the Project encompasses defined sections of Saskatchewan provincial Highway 955 and Highway 155 ...”</p> <p>The destination of the Rook I Project products is unclear. It is also unclear how materials will be transported from the intersection of Highway 955 and Highway 155 at Green Lake to the destination. Finally, no rationale is provided for limiting the potential for accidents or malfunction to this specific area.</p> <p>MN-S request additional detail and rationale be provided in the EIS about the selection of the defined sections of the transportation route considered within this assessment.</p>	
712.	MN-S (October 19, 2022)	2.1.5.5, p. 12-20 Assessment of Bounding Scenarios for Accidents and Malfunctions	<p>“Based on the results of the initial screening process undertaken to identify hazard scenarios a subset of the identified scenarios was selected as the focus of the detailed risk analysis. These hazard scenarios represented the bounding scenarios considered in the accidents and malfunctions assessment.”</p> <p>Additional detail is required to understand the selection of the bounding scenarios. As written, it is unclear if all hazard scenarios identified as high-</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>risk were selected as bounding scenarios, if a subset of the high-risk scenarios was selected, or if another approach was applied. If any option aside from advancing all high-risk hazard scenarios was applied, rationale for the selection process should be provided.</p>	
713.	MN-S (October 19, 2022)	21.6.2, p. 21-25 Selection of Bounding Scenarios	<p>Table 21.6-2 Bounding Scenarios Considered in the Accidents and Malfunctions Assessment and Associated Mitigations</p> <p>Bounding Scenarios 1, 2, and 3</p> <p>It is unclear why only aquatic impacts associated with a traffic accident are discussed. The release of uranium concentrates and radioactivity or the release of fuel and hazardous chemicals pose an environmental risk as well as a potential risk of fires or explosion which has both environmental and health risks (as noted for bounding scenario 3).</p>	
714.	MN-S (October 19, 2022)	21.6.3.4, p. 21-30 Risk Measurement and Evaluation	<p>“With implementation of environmental design features and mitigation, and in consideration of the assessed probability for this accident scenario, the likelihood was assessed as highly unlikely.”</p> <p>This text directly contradicts the text in Section 21.6.3.2 (p. 21-28) which states that “[r]isks associated with release of uranium concentrate to the surface water environment due to a traffic accident at the Clearwater River bridge crossing location would be managed through design criteria and management controls related to the access road ...”; i.e., no environmental mitigation is proposed. This text provides the reader with the impression that environmental design features are a component of the mitigation for this scenario.</p>	
715.	MN-S (October 19, 2022)	21.6.4.4, p. 21-31 Risk Measurement and Evaluation	<p>“With implementation of environmental design features and mitigation, and in consideration of the assessed probability for this accident scenario, the likelihood was assessed as highly unlikely.”</p> <p>This text directly contradicts the text in Section 21.6.4.2 which states that “[r]isks associated with a potential release of fuel or other hazardous chemical</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>to the surface water environment would be managed through design criteria and management controls related to the access road ...”; i.e., no environmental mitigation is proposed. This text provides the reader with the impression that environmental design features are a component of the mitigation for this scenario.</p>	
716.	MN-S (October 19, 2022)	21.6.5.3, p. 21-32 Assessment of Potential Effects	<p>“These weather conditions included a worst-case condition, which assumed peak wind speeds and worst-case conditions for dispersion of released materials, and a typical weather condition, which assumed average wind speeds and average conditions for dispersion of released materials.”</p> <p>The weather scenarios lack the details required to understand the extent of the weather conditions considered and the difference between the two scenarios: “worst-case” and “average.”</p>	
717.	MN-S (October 19, 2022)	21.6.6.3, p. 21-34 Assessment of Potential Effects	<p>“In the event of a maximum release of up to 14.9 m³, the released tailings would flow north, away from the solvent extraction and process plant.”</p> <p>It is unclear how the maximum release of 14.9m³ was determined. Further, it is unclear what controls are in place to ensure that the release will not exceed 14.9 m³.</p>	
718.	MN-S (October 19, 2022)	22.1, p. 22-1 Introduction	<p>"The assessment of potential effects of the environment on the Project includes identification of natural hazards deemed to have reasonably possible consequences for the proposed Project, and the mitigation measures that would be implemented to reduce or eliminate potential risks."</p> <p>The proposed mitigations do not include any collaborative activities to develop a shared understanding with MN-S of the natural hazards; nor was MN-S provided the opportunity to contribute to the identification of appropriate mitigations.</p> <p>Mitigations to address natural hazards must be informed by collaboration and contribution of MN-S. This applies for all mitigations mentioned in section 22.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
719.	MN-S (October 19, 2022)	22.1.2, p. 22-6 Risk Management	<p>"NexGen's objectives of risk management are to reduce all health, safety, and environmental risks to acceptable levels and to keep radiological exposures to workers and the environment as low as reasonably achievable." How does NexGen define "acceptable levels"?</p>	
720.	MN-S (October 19, 2022)	22.1.2, p. 22-6 Risk Management	<p>"NexGen's objectives of risk management are to reduce all health, safety, and environmental risks to acceptable levels and to keep radiological exposures to workers and the environment as low as reasonably achievable." "Keeping radiological exposures as low as reasonably achievable" is vague. TWC recommends that MN-S request clarification of how low the radiological exposure will be targeted to be, what may impede the ability of NexGen to reach those targets and what measures will be taken to reduce the risk further throughout the lifecycle of the facility. TWC also recommends that NexGen provide clarification on the effects of radiological exposure on human health and the environment.</p>	
721.	MN-S (October 19, 2022)	22.1.2, p. 22-7 Risk Management	<p>"Adaptive management may be used to reduce the uncertainty associated with hazards or risks when systems are highly dynamic and when there are gaps in information or understanding, opportunities to learn and gain new information, and opportunities to adjust activities or practices to realize improvements." It is important for MN-S to be involved in adaptive management throughout the lifecycle of the Project as adaptive management may impact the effectiveness of mitigation measures</p>	
722.	MN-S (October 19, 2022)	22.3, p. 22-8 Incorporation of Indigenous Knowledge	<p>Section title The use of "incorporated" does not reflect current best practices that acknowledge Indigenous Knowledge as an equal but different way of knowing (than western science). This terminology implies that Indigenous Knowledge can be absorbed into a scientific approach.</p>	

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723.	MN-S (October 19, 2022)	22.3, p. 22-10 Incorporation of Indigenous Knowledge	<p>"Indigenous and Local Knowledge related to effects of the environment on the Project was incorporated into the assessment by viewing the information as complementary and influential alongside scientific information."</p> <p>See comment 22-007. The term 'complementary' implies that Indigenous Knowledge is used to complement scientific information rather than Indigenous Knowledge being an equal but different way of knowing (than western science).</p>	
724.	MN-S (October 19, 2022)	22.3, p. 22-10 Incorporation of Indigenous Knowledge	<p>"Issues, concerns, and comments received during community engagement and Joint Working Group meetings as well as information from Indigenous Knowledge and Traditional Land Use Studies were considered in the design of the Project, and included topics such as potential effects of changing climatic conditions and extreme events (e.g., fire and flooding), as well as potential mitigation options."</p> <p>It is unclear how MN-S's input was considered in section 22.</p>	
725.	MN-S (October 19, 2022)	22.4.1, p. 22-11 Natural Hazard Scenario	<p>"Natural hazards that have the potential to cause adverse effects on the Project include the following:</p> <ul style="list-style-type: none"> - wildfire; - drought; - major precipitation events; - severe snowstorms; - tornado/severe thunderstorms; - extreme temperatures; and - seismic events." 	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			It unclear if MN-S had opportunities to comment on the list of natural hazards.	
726.	MN-S (October 19, 2022)	22.4.3, p. 22-11 Risk Measurement	<p>"Likelihood and consequence were estimated based on industry and operational experience, Project-specific conditions, and the knowledge base of the Project team."</p> <p>It is a good practice for Indigenous Nations to have input into risks and mitigations, as well as residual risks, to assess the potential of effects of the environment on the Project to affect MN-S's Indigenous Rights and Title.</p>	
727.	MN-S (October 19, 2022)	22.5, p. 22-13 Climate Change	<p>"Given that climate change is occurring but there remains uncertainty in the future projections of climate change, NexGen would consider climate risks as a part of the continual improvement process, as outlined in TSD XXII, Climate Adaptation Framework."</p> <p>It is not specified if MN-S will be engaged on the continual improvement process related to the Climate Adaptation Framework.</p>	
728.	MN-S (October 19, 2022)	22.6.1.2, p. 22-18 Risk Measurement and Evaluation	<p>Entire Section.</p> <p>It is unclear if the risk of explosions to the workers is being considered.</p>	
729.	MN-S (October 19, 2022)	22.6.1.2, 22-19	<p>FF-03: Fire Reaching Fuel Storage Tanks or the Surface Explosives Magazine</p> <p>Entire section</p> <p>It is unclear if the risk of explosions to the workers is being considered.</p>	
730.	MN-S (October 19, 2022)	22.6.2.1, p. 22-21 Hazard Scenario Identification	<p>"Water management planning would be undertaken using a risk-based approach considering both routine and non-routine Project conditions and would be periodically re-evaluated throughout the Project lifespan to optimize water usage."</p> <p>It is not specified if MN-S will be engaged on the water management planning throughout the Project lifespan.</p>	
731.	MN-S (October 19, 2022)	22.6.2.1, p. 22-21	"During Construction and Operations, there would be an increase of water	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Environmental Design Features	<p>being returned to Patterson Lake (i.e., with more water being released to Patterson Lake than being withdrawn). This increase is on account of collecting and treating groundwater recovered from the underground mine workings."</p> <p>It is unclear how much groundwater will be released into Patterson Lake and the effects of this release on Patterson Lake. The term "being returned" is misleading as the water does not originate from Patterson Lake.</p> <p>TWC recommends that MN-S request more information about the effects of releasing groundwater into Patterson Lake during construction and operations, and that the term "being returned" be replaced with "being released".</p>	
732.	MN-S (October 19, 2022)	22.6.2.1, p. 22-21 Mitigation	<p>"During Construction and Operations, a Preliminary Decommissioning and Reclamation Plan would be developed updated at least every five years to reflect changing site-specific conditions. Prior to transitioning to Closure, a Detailed Decommissioning and Reclamation Plan would be developed to reflect mitigations necessary to avoid and limit the effects of drought on revegetation efforts, as required."</p> <p>Mitigation Plans such as the ones described here do not constitute mitigations in and of themselves. It is important to understand the actual mitigations that are planned to be in place to better understand the effectiveness of proposed mitigation measures. Mitigations must be informed by collaboration and contribution of MN-S.</p>	
733.	MN-S (October 19, 2022)	22.6.2.2, p. 22-22 Risk Measurement and Evaluation	<p>"Native, drought-resistant vegetation species would be used for reclamation; however, drought conditions may still affect the successful establishment of some vegetation used in reclamation of the site, particularly if the drought corresponds to an immature standing crop."</p> <p>It is not clear which vegetation species would be used for reclamation.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
734.	MN-S (October 19, 2022)	22.6.3.1, p. 22-23 Hazard Scenario and Risk Identification	<p>""The Project would be fully contained the competent crystalline basement rocks.""</p> <p>This sentence requires clarification.</p>	
735.	MN-S (October 19, 2022)	22.6.3.2, p. 22-26 Risk Measurement and Evaluation	<p>"The likelihood of a major precipitation event causing a mine inflow is assessed as Unlikely. Combined with the consequence being assessed as Moderate, the risk level was evaluated as Low."</p> <p>The risk to employees is unclear from this risk measurement and evaluation</p>	
736.	MN-S (October 19, 2022)	22.6.5.2, p. 22-33 <i>Risk Measurement and Evaluation</i>	<p>TT-01: Tornado Damage</p> <p>It is not clear if the if the risk measurement and evaluation for tornado damage takes climate change into consideration.</p>	
737.	MN-S (October 19, 2022)	22A3, p. 5 Using the Results	<p>"The uncertainty associated with any projections or forecasts is increased with the duration of the projected period and is subject to future developments; therefore, this work should be updated as new climate science is developed and after the release of downscaled climate projections from ClimateData.ca for the area of the Project following the AR6 by the IPCC (2021)."</p> <p>It is not clear as to how NexGen plans on reviewing climate change data throughout the lifecycle of the Project and how NexGen plans on engaging with MN-S on effects of the environment on the Project as a result.</p>	
738.	MN-S (October 19, 2022)	22A4.1.1, p. 8 On-Site and Regional Stations	<p>"With no suitable observations available for the area of the Project, reanalysis data were selected to represent the current climate conditions over the same period as the modelled baseline (1981 to 2019)."</p> <p>It is concerning that the analysis informing the climate change dataset summary and section 22 is based on substantial data gaps.</p>	
739.	MN-S (October 19, 2022)	23.2, p. 23-5 Engagement and	<p>"... with the goal of disclosing information ..."</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Communication	<p>“... a grievance mechanism ...”</p> <p>Engagement and communication go beyond information disclosure and grievance mechanisms. Will the program provide funding for Indigenous participants beyond the one full-time independent Indigenous Monitor (23.5.2)? Will the program allow for input and agreement on follow-up and monitoring measures and changes.</p> <p>“... Integrated Management System (IMS) Manual ...”</p> <p>Need to provide review access to this manual. Reference to 23.5.2 is not sufficient.</p>	
740.	MN-S (October 19, 2022)	23.2, p. 23-5 Engagement and Communication	<p>“... Integrated Management System (IMS) Manual ...”</p> <p>Need to provide review access to this manual. Reference to 23.5.2 is not sufficient.</p>	
741.	MN-S (October 19, 2022)	23.3.2.2, p. 23-11 <i>Mitigation Measures</i>	<p>“The mitigation measure effectiveness is categorized as high, medium, ...”</p> <p>This section might be better placed in Methodology. It is useful additional information that fills in gaps of understanding in Section 6 Environmental Assessment Approach and Methods.</p>	
742.	MN-S (October 19, 2022)	23.4.1, p. 23-12 to 23-20 Environmental Management	<p>The entire section discusses the purpose of the Management Plans but does not provide an opportunity to review the actual Plans to confirm if they will sufficiently track the proposed mitigation. It is more like a methodology and approach section on what the monitoring plans are intended to achieve. Statements of intention.</p>	
743.	MN-S (October 19, 2022)	23.4.2, p. 23-17, 23-18 Socio-economic Management	<p>This subsection describes the socio-economic management framework that is being developed for the Project.</p> <p>“NexGen is committed to continue engagement ...”</p> <p>This statement and subsequent statements in the section suggests a deficiency or incompleteness in the draft EIS. Commitment to engage is not a management plan.</p>	

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744.	MN-S (October 19, 2022)MN-S	23.4.2, p. 23-17, 23-18 Socio-economic Management	<p>“The socio-economic framework will be enhanced through the establishment of formal Benefit Agreements ...”</p> <p>It is unclear to what extent “Benefit Agreements” are intended to be a form of socio-economic mitigation especially where the socio-economic management initiatives are integrated into Benefit Agreements.</p> <p>This introduces a lack of transparency to determine sufficiency of mitigation.</p> <p>There is no indication of a timeline for achieving socio-economic capacity and by when the framework will be developed.</p>	
745.	MN-S (October 19, 2022)	5.2, p. 36 to 43 Métis Nation – Saskatchewan	<p>Table 5 Summary of Key Engagement Activities with the Métis Nation – Saskatchewan</p> <p>All content Comments made on tables in Section 2 Indigenous, Regulatory, and Public Engagement of the draft EIS would also apply to tables in TSD I (and its associated appendices).</p>	
746.	MN-S (October 19, 2022)	6.2.2, p. 65 Métis Nation – Saskatchewan	<p>Table 12 Summary of Issues Identified by the Métis Nation – Saskatchewan</p> <p>"Proper use of Métis Knowledge while protecting intellectual property rights and confidentiality"</p> <p>Repeat comment regarding NexGen's definition of Indigenous Knowledge. Noting the community interest in proper use of Métis Knowledge, it is particularly concerning that NexGen chose to define Indigenous Knowledge unilaterally.</p>	
747.	MN-S (October 19, 2022)	TSDIB, p. 12 to 24 Indigenous Engagement Activities	<p>Table B-2 Métis Nation – Saskatchewan</p> <p>All content Table B-2 appears to be a repeat of Table 5. Repeating content such as this does not facilitate review.</p>	
748.	MN-S (October 19, 2022)	TSDIC, p. 5 to 8 Summary of Issues	Table C-2 Summary of Issues Identified by Métis Nation – Saskatchewan	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		Identified by Indigenous Groups	All content Comments made on tables in EIS Section 2 Indigenous, Regulatory, and Public Engagement would also apply to tables in this TSD.	
749.	MN-S (October 19, 2022)	9.3.2, p. 115–116 Community and Chemistry Survey	<p>Black spots on fish not explained</p> <p>The Black spots identified during baseline work, on various fish species, at several locations, are not explained, and there are no photos. Black spots are mentioned as skin abnormalities in fish in Beet Channel, Naomi Lake, Clearwater River Near and Clearwater River Mid, but the spots are not specific to species.</p> <p><i>See also</i> Appendix C Table 47, p. 1 which states a total of ninety-three (93) fish with external black spots in Patterson Creek, Beet Channel, Beet Lake, Beet Creek, Naomi Lake, Clearwater Creek, and Clearwater River.</p> <p>Speculation – naturally occurring condition of fish having black spots likely caused by trematodes.¹⁹</p> <p>The black spot was identified as baseline information to mine development. The presence of black spots on fish could be blamed on the mine site/company in the future.</p>	
750.	MN-S (October 19, 2022)	4.6, p. 8	<p>“Twenty-eight plant species or groups of plant species plant species [<i>sic</i>] were identified as traditional plant species used for food, medicinal, ceremonial, or other purposes within the IKTLU Studies, of which 34 species or genera [<i>sic</i>] potentially identified traditional use plant species were observed during the baseline surveys.”</p> <p>The number of species identified as traditional plant species is less than the number of traditional use plant species observed during baseline surveys.</p> <p>There appears to be a disconnect between the field studies (e.g., inconsistent study areas) and the assessments (e.g., field data use to inform the assessment appears to be minimal). The field programs, or study area, focus on the Project footprint and the immediate vicinity— an area previously disturbed by</p>	

¹⁹ [Black Spot in Fishes \(alberta.ca\)](#)

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			extensive exploration activities. Therefore, the baseline conditions represent a chronically disturbed area.	
751.	MN-S (October 19, 2022)	2.1, p. 10 Study Area Selection	<p>Descriptions of the Local Study Area (LSA) and Regional Study Area (RSA) are provided in terms of effects on wildlife.</p> <p>Comments required on how the LSA, and RSA were designed to consider potential Project effects on vegetation</p>	
752.	MN-S (October 19, 2022)	2.2.2, p. 11 <i>Landforms</i>	<p>The landforms within the region are described as having “large areas of bogs and peatlands”; however, small areas of wetland ecosites were identified within the RSA (Table 5.3-1).</p> <p>Report lacks information on this discrepancy and the suitability of the RSA for describing regional vegetation.</p>	
753.	MN-S (October 19, 2022)	2.2.2, p. 11 <i>Landforms</i>	<p>“The landforms in these areas are more representative of Boreal Shield landforms than Boreal Plain landforms. Typically, the Boreal Plain usually contains more clay-sized materials and has a more diverse mineralogy”. Unknown if soils investigations were completed to describe soil characteristics within the Project Study Areas.</p>	
754.	MN-S (October 19, 2022)	5.2.1, p. 21 <i>Predictive Ecosite Map</i>	<p>Lacking information on the data collected at each of the ecosite field sampling/ground truthing sites.</p> <p>What is the difference between a “vegetation/ecosite characterization survey” and “ground control points”?</p> <p>Lacking information on how soil characteristics—including characterization of moisture and nutrient regimes—were incorporated within Project-specific ecosite mapping and field verification.</p>	
755.	MN-S (October 19, 2022)	5.2.2, p. 21 <i>Interpreted Ecosite Map</i>	<p>Lacking information on map scaling.</p> <p>At what scale was the interpreted ecosite map completed for the Project? What was the minimum, maximum, and average polygon size? What proportion of polygons were field verified?</p>	
756.	MN-S (October 19, 2022)	5.2.2, p. 22 <i>Interpreted Ecosite</i>	<p>“The regenerating land cover types less than 40 years old that did not match any of the ecosites described by McLaughlan et al. (2010) ...”.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
		<i>Map</i>	<p>McLaughlan et al. state that young (e.g., <40 years old) or modified sites may still be classified according to the guide, but elements or specific features of these sites may vary from the mature natural condition (2010).</p> <p>Lacking information on how the ecosite evaluation for these sites included supplemental information such as soil moisture and nutrient regimes or other soil attributes in accordance with the recommendations on page 63 of McLaughlan et al. 2010.</p>	
757.	MN-S (October 19, 2022)	5.3.1, p. 24 <i>Predictive Ecosite Map</i>	<p>“The accuracy level is due to McLaughlan et al. (2010) not describing forest types under 40 years of age in their ecosite classification system”.</p> <p>McLaughlan et al. state that young (e.g., <40 years old) or modified sites may still be classified according to the guide, but elements or specific features of these sites may vary from the mature natural condition (2010).</p> <p>Lacking information on how the ecosite evaluation for these sites included supplemental information such as soil moisture and nutrient regimes or other soil attributes in accordance with the recommendations on page 63 of McLaughlan et al. 2010.</p>	
758.	MN-S (October 19, 2022)MN-S	5.3.2, p. 26 <i>Interpreted Ecosite Map</i>	<p>It is noted that regenerating land cover types were divided into three vegetation types—bog, coniferous, and deciduous—and that the “bog” vegetation type is the only lowland (wetland) regenerating land cover type.</p> <p>Unknown if regenerating fens, marshes or other wetland classes were mapped within the RSA.</p>	
759.	MN-S (October 19, 2022)	6.3, p. 72	<p>It is noted that lesser duckweed (<i>Lemna minor</i>) was identified as a provincially listed species observed within ecosite BP25.</p> <p>This species was omitted from the EIS.</p>	
760.	MN-S (October 19, 2022)	1.2.2, p. 5 Vegetation Study Area	<p>“The SSA consisted of an area 25 square kilometres (km²) (5 km x 5 km) encompassing the entire proposed Project footprint, whereas the LSA consisted of an area 225 km² (15 km x 15 km) surrounding and including the SSA (Figure 1.2-1).”</p> <p>Please comment on the rationale for the size and shape of these study areas in relation to potential Project effects on vegetation.</p>	

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761.	MN-S (October 19, 2022)	1.2.2, p. 5 Vegetation Study Area	<p>“The SSA area was where effects (i.e., total area subject to vegetation and soil disturbance, which may have direct and indirect effects on vegetation and wildlife) are expected to occur on the terrestrial environment (GS 2014). The LSA included the area surrounding the SSA where there is reasonable potential of direct and/or indirect effects on the terrestrial environment from the Project activities on potential VCs resulting from existing and planned activities (CanNorth 2010; GS 2014; IAAC 2019).”</p> <p>Please comment on why most of the proposed Project access from Hwy 955 is not located the SSA; and the southwestern extent of the Project access road is not located within either the SSA or the LSA.</p>	
762.	MN-S (October 19, 2022)	3.2, p. 15 Methods	Please provide more detail on the method of aquatic vegetation sampling at each survey point. How was aquatic vegetation detected and sampled?	
763.	MN-S (October 19, 2022)	3.2, p. 15 Methods	Surveys for vascular plant Species of Conservation Concern appear to have been completed in June and August of 2018; were surveys for non-vascular plant or lichen Species of Conservation Concern also completed?	
764.	MN-S (October 19, 2022)	4.2, p. 25 Methods	<p>“A legend defining the boreal wetland classifications and their sub-categories is presented in Appendix A, Table 5.”</p> <p>This table defines shallow open water wetlands as wetlands with “<25% herbaceous/woody vegetation present (submerged or floating-leaved vegetation may be present); persistent water table well above surface with flooded conditions”.</p> <p>However, Table 4.3-1, p. 26 does not show any shallow open water wetlands identified within the LSA. Please comment on why no shallow open water wetlands were identified to be associated with persistent water <2m deep (as defined by the Canadian Wetland Classification System).</p>	
765.	MN-S (October 19, 2022)	2.0, p. 10 Study Objectives	<p>Section indicates that one of the objectives of the wildlife baseline studies was to “inventory wildlife occurrence”.</p> <p>Please explain why the objective was not to determine habitat use/availability on a seasonal or year-round basis to support a habitat-based evaluation of changes for wildlife and wildlife habitat to inform the EIS?</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>There is no mention of a “Project Footprint”; does the LSA include all components of the Project, including access, powerline, fibre optic cable and borrow sources?</p> <p>No actual Project components nor existing access are shown on Figure 3.1 on page 11.</p> <p>“Both LSA and RSA boundaries are of an appropriate size and location for the inventory and assessment of both local and regional effects on vegetation and wildlife from existing and planned activities.”</p> <p>Yet, a “caribou regional study area (CRSA)” is added, indicating that the RSA was not appropriate? The relationship between the RSA and cumulative effects study area for all wildlife species is not clear – please provide clarification? And it is noted that different study areas were delineated for the assessment.</p>	
766.	MN-S (October 19, 2022)	4.2, p. 14 Methods	The section provides no indication that the winter track count surveys were designed to sample the wildlife use of the available habitat types within the RSA.	
767.	MN-S (October 19, 2022)	4.3, p. 16 Results	<p>Figure 4.3-1 Winter Tracking Survey Transects</p> <p>The figure shows only portions of two triangle surveys were completed in the CRSA, at the border of the RSA.</p>	
768.	MN-S (October 19, 2022)	5.3, p. 28, 29 Results	It is noted that none of the backtracking trails were completed in the CRSA.	
769.	MN-S (October 19, 2022)	6.3.3, p. 37 <i>Woody Browse and Lichen Availability</i>	Relative to terrestrial and arboreal lichens, and woody browse, the text uses terms such as “area of the Project” and “Project Area”.	
770.	MN-S (October 19, 2022)	7.3.1, p. 43, 44 <i>Trapping/Inventory and Habitat Characterization</i>	<p>Figure 7.3-1 Small Mammal Trapping Transects</p> <p>Table 7.3-1 Small Mammal Captures per Transect in the LSA and Reference Sites – September 2018</p> <p>It appears that not all of the transects identified in Table 7.3-1 are included on Figure 7.3.1; therefore, the context of the text is not clear.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
771.	MN-S (October 19, 2022)	8.3, p. 51 Results	<p>Figure 8.3-1 Semi-aquatic Furbearer Shoreline Survey Locations</p> <p>Table 8.3-1: Semi-Aquatic Furbearer Shoreline Survey Observations– September 2018</p> <p>Figure 8.3-1 does not number the creeks or lakes identified in Table 8.3-1; therefore, the context of the text is not clear.</p>	
772.	MN-S (October 19, 2022)	9.2, p. 53 Methods	<p>“... areas were surveyed ... at the maximum altitude that allowed for identification of avian species ...”</p> <p>The section lacks other survey details.</p>	
773.	MN-S (October 19, 2022)	1.2.2, p. 6 Wildlife Study Area	<p>The study areas including birds in this report, are different from the study areas delineated in <i>Annex VIII.1 Wildlife Baseline Report 1 (Mammals, Waterfowl, and Raptors), Omnia 2018</i> for the study of waterfowl and raptors</p>	
774.	MN-S (October 19, 2022)	1.2.2, p. 8 Wildlife Study Area	<p>Figure 1.2-1: Overview of the Site Study Area and Local Study Area Sampled for Wildlife Baseline Studies, 2018</p> <p>It appears that the Site Study Area (SSA) and Local Study Area (LSA) do not include a portion of the access into the site.</p>	
775.	MN-S (October 19, 2022)	2.3, p. 9 Methods	<p>No mention is made of the data collected on species at risk or sensitive species for the Project and presented in Annex VIII.1. For example, there is no mention of osprey or red-throated loon identified by Omnia (2018).</p>	
776.	MN-S (October 19, 2022)	2.3, p. 9 Results	<p>With respect to woodland caribou, it states that “Habitat potential for this species is classified as moderate to high throughout the majority of the SSA and LSA.” –</p> <p>Is this consistent with what is reported for caribou habitat in the Omnia (2018) report, and ultimately in the environmental assessment?</p>	
777.	MN-S (October 19, 2022)	2.4, p. 10 Existing Information	<p>Several references to “the area of the Project” are made with no definition to provide context.</p> <p>As no RSA was delineated for this report, please provide a definition that puts it into context with the Project footprint, SSA and LSA.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
778.	MN-S (October 19, 2022)	5.3, p. 27 Results	<p>Table 5.3-1 Results of the Common Nighthawk Surveys, June 2018 Indicates the numbers of common nighthawks detected.</p> <p>Clarification on the number of nighthawks reported for the ARUs and whether the numbers represent the number of calls recorded or were individual birds.</p>	
779.	MN-S (October 19, 2022)	8.2, p. 40 Methods	<p>1. “Collection and analysis of recordings was conducted in accordance with ... the Wildlife Guidelines for Alberta Wind Energy Projects (GA 2011).”</p> <p>Explanation as to why the more recent and up to date <i>Wildlife Directive for Alberta Wind Energy Projects, 2018</i> was not used,</p>	
780.	MN-S (October 19, 2022)	8.2, p. 40 Methods	<p>Indicates that various protocols for Alberta wind farms were followed, and that a raised microphone for a bat detector (BAT 03) was installed at a height of 7 m.</p> <p>The Alberta protocol suggest a paired sampling of a raised microphone at 30 m height with a lower recorder height.</p>	
781.	MN-S (October 19, 2022)	8.2, p. 42 Methods	<p>Figure 8.2-1 Bat Detector Locations, May to October 2018 The Project footprint shown in Figure 8.2-1 is different from the Project footprint shown in other figures, such as Figure 7.4-4?²⁰</p>	
782.	MN-S (October 19, 2022)	1.1, p. 4 Study Objectives	<p>“The objective of the 2020 surveys was to supplement baseline data, following recommendations in ... the Wildlife Guidelines for Alberta Wind Energy Projects (GA 2011).”</p> <p>Was the <i>Wildlife Directive for Alberta Wind Energy Projects, 2018</i> reviewed at this time as well?</p>	
783.	MN-S (October 19, 2022)	2.2, p. 8 Study Area	<p>“Passage migration surveys followed standard guidance and methods for migration surveys for renewable wind energy projects ...”</p>	

²⁰ Canada North Environmental Services (2021). *Annex VIII.3: Wildlife Baseline Report 3 (Bird Migration and Bats)*, p. 39.

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			Section makes no mention of the <i>Bird Migration Survey Protocol</i> ²¹ issued by the Government of Alberta in January 2020, which is cited later. Please comment.	
784.	MN-S (October 19, 2022)	3.2, p. 13, Bat Survey Methods	Figure 3.2-1 Location of Bat Detectors Shows that all detectors are in the same habitat type, and none of the detectors are near water which could attract bats.	
785.	MN-S (October 19, 2022)	1, p. 1, Introduction	“... incorporation of Indigenous Knowledge throughout the Environmental Assessment (EA) process ...” The use of "incorporation" does not reflect current best practices that acknowledge Indigenous Knowledge as an equal but different way of knowing (than western science). This terminology implies that Indigenous Knowledge can be absorbed into a scientific approach.	
786.	MN-S (October 19, 2022)	1, p. 1, Introduction	“This report presents a detailed account of the socio-economic environment present in the potentially affected Denesuline (Dene) First Nations and Métis Groups (collectively referred to as Indigenous Groups) and communities.” It is unclear from this statement which Indigenous Nations are within the scope of this report. Similarly, this text does not align with the text used within the EIS to identify those Indigenous Nations that have been considered within the assessments informed by this baseline.	
787.	MN-S (October 19, 2022)	4.2, p. 11, Secondary Data Collection	“For some socio-economic conditions, there is no data available for these communities, in which case, the 'other LSA communities' sub-section was omitted.” The omission of data makes it challenging for readers to understand if the authors made an error in presenting material, or if insufficient data was available.	

²¹ Government of Alberta (2020). *Bird Migration Survey Protocol*. [aep-bird-migration-protocol-2020.pdf \(alberta.ca\)](#)

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
788.	MN-S (October 19, 2022)	4.3, p. 12, Primary Data Collection	<p>“Other sources included community information sessions and workshops with youth and trappers to provide additional information and confirm the accuracy of secondary data (i.e., verification and triangulation).”</p> <p>The confirmation of secondary sources via primary sources is an important component of the verification process. However, it is unclear what steps NexGen took, in alignment with best practices, to verify that Indigenous Knowledge was appropriately applied and used as intended with Indigenous Nations.</p>	
789.	MN-S (October 19, 2022)	4.3.3, p. 14, Joint Working Groups	<p>“Three Joint Working Group sessions ... were specifically conducted ... to discuss community definitions of well-being, including the factors that both contribute to and detract from well-being, and how participants felt the Project might interact with these factors.”</p> <p>Joint Working Group to increase understanding is a valuable and important exercise. However, it is unclear what steps NexGen took, in alignment with best practices, to verify that Indigenous Knowledge was appropriately applied and used as intended with Indigenous Nations.</p>	
790.	MN-S (October 19, 2022)	4.4, p. 18, Quality Assurance / Quality Control	<p>“Quality assurance and quality control measures were employed throughout the data collection, analysis, and reporting process.”</p> <p>The QA/QC described supports confidence that the data received is consistent, however this is not equivalent to verifying outcomes with potentially affected Peoples.</p>	
791.	MN-S (October 19, 2022)	5.1.1.4.7, p. 27	Residential Schools -General comment regarding content. This content, dated April 2022, fails to acknowledge the finding of unmarked graves at residential schools across Canada—first discovered in Spring 2021—and the impact of this on Indigenous Peoples across the country. Please provide updates to “Section 5.1.1.4.7 Residential Schools” to reflect the finding of unmarked graves at Canadian Residential Schools.	
792.	MN-S (October 19, 2022)	5.2.2, p. 34	<p>First Nations “The MLTC is the tribal council for nine First Nations, including the CRDN, BNDN, and BRDN.”</p> <p>This is the first usage of MLTC in this section of content. Spell out.</p>	

Number	Source	Reference to EIS, appendix, or TSD	<p style="text-align: center;">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
793.	MN-S (October 19, 2022)	6.2.1.3, p. 59, Major Capital Projects	<p>“Major proposed projects in the RSA include the following ...:</p> <p>Dennison Mines Corp. ... the proponent is expected to enter the construction phase in 2022 ...</p> <p><i>Rabbit Lake Tailings Management Facility Expansion Project</i> ... in February 2022 announced that it would restart operations amid uranium price gains ...</p> <p><i>Highway 914 All-Weather Road</i> ... The project is expected to take approximately three years to complete and will connect Highway 905 and 914 ...”</p> <p>The Reasonably Foreseeable Development (RFD) case included in the EIS does not mention any of these proposed Projects within the RSA and instead includes only the Fission Patterson Lake South Property which is located within the RSA. Under CEAA 2012, assessment of cumulative effects includes both projects that are “certain” and those that are “reasonably foreseeable”.²²</p>	
794.	MN-S (October 19, 2022)	6.3.2.10.2.1, p. 93, <i>Highway 155</i>	<p>“Updated weight restrictions for specific vehicles travelling on primary or secondary highways can be found by contacting the Saskatchewan Ministry of Highways and Infrastructure ...”</p> <p>It is unclear why the reader is directed to contact the provincial government for additional data. If additional data is relevant to the baseline reporting it should be included; if it is not relevant, then this text is unnecessary.</p>	
795.	MN-S (October 19, 2022)	6.4.1.2.2, p. 98, La Loche	<p>“Participation in the labour force is higher for males (i.e., 36.7%) than females (i.e., 30.4%) ...</p> <p>The unemployment rate in the community is higher for males than females with a widening different; 14.0% difference in 2016 compared to 10.8% in 2006.”</p>	

²² [Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012 - Canada.ca](#)

Number	Source	Reference to EIS, appendix, or TSD	<p align="center">Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)</p>	NexGen Response
			<p>It is unclear how males can be both higher participants in the workforce and higher in terms of unemployment. Population numbers in La Loche²³ are generally quite similar with a total La Loche population of 2370 (in 2016) with a composition of 47.9% males and 52.1% females.</p>	
796.	MN-S (October 19, 2022)	6.6.1.2.5, p. 120, Buffalo Narrows	<p>“Around 19.1% of the Buffalo Narrows population aged 15 and over has completed high school as their highest level of education, lower than the Indigenous provincial average (i.e., 28.2%) and only slightly lower than the RSA average (i.e., 20.1%).”</p> <p>Given students are generally aged 17 to 18 at the time of graduation, inclusion of individuals under 17 in this dataset dilutes the accuracy of the results. A 15-year-old is unlikely to have had the opportunity to graduate high school, let alone accomplish any post-secondary education. This however does not automatically mean that those individuals will not graduate high school or pursue post-secondary education.</p>	
797.	MN-S (October 19, 2022)	7.0, p. 179 to 180, Education and Training	<p>“Joint Working Group participants indicated that the standards for highs [sic] school certificates have been lowered, meaning graduates may not qualify for Grade 12 proficiency ...”</p> <p>This sentence is challenging to understand. Update of the sentence in Section 7 of Annex 10 to provide clarity about the lack of qualification for Grade 12 proficiency.</p>	
798.	MN-S (October 19, 2022)	7.2, p. 181, Closure	<p>“Benefit Agreements have been developed and are being negotiated to define environmental, cultural, economic, training, employment, and business opportunities and other benefits to be provided to the primary Indigenous Groups by NexGen and to confirm the consent and support of those groups for the Project.”</p> <p>It is not appropriate to identify a Benefit Agreement as an opportunity to confirm consent and support for the Project. Particularly given that NexGen has consistently identified in the draft EIS documentation that Impact-Benefit</p>	

²³ Golder Associates Ltd., *Annex X: Socio-economic Baseline Report*, p. 42.

Number	Source	Reference to EIS, appendix, or TSD	Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)	NexGen Response
			<p>Agreements have been established or are being negotiated for the Project.</p> <p>As rights holders, Indigenous Nations have the right to self-governance and decision making. Negotiating with a proponent for the purposes of collaboration and mutual benefit does not automatically translate to Project consent.</p> <p>Please remove of all references to “Benefit Agreements” as an opportunity to confirm consent and support of the Project from this baseline report, all baseline reports, and the draft EIS in its entirety.</p>	