

Consolidated Comments from Indigenous Nations and Communities and the Public on the Wheeler River Project Draft Environmental Impact Statement
For response by regulators or government entities (Posted June 2023, updated with comment 26 on April 2024)

Number	Source	Reference to EIS ¹ , appendix, or TSD	Comment Summary (all original submissions can be found on Canadian Impact Assessment Registry reference: 80171)	Regulator Response
1.	Birch Narrows Dené Nation (BNDN) (February 28, 2023)	Section 12.0 and 13.0	<p>Comment #17: 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> <p>Request/recommendation:</p> <ul style="list-style-type: none"> Denison 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 (including BNDN), 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. <p>See Section 4.2 for additional information on this topic (p. 19-21).</p>	
2.	BNDN (February 28, 2023)	Section 12.0 and 13.0	<p>Comment #17: 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> <p>Request/recommendation:</p> <ul style="list-style-type: none"> The Crown must include the development of a Socio-Economic Monitoring Plan as a condition of approval for the Project. <p>See Section 4.2 for additional information on this topic (p. 19-21).</p>	
3.	BNDN (February 28, 2023)	Appendix 9B Section 2.5.1	<p>Comment #18: In several instances in the draft EIS Denison has noted that Indigenous Nations are concerned with the possibility of mercury contamination from mining operations. BNDN shares these concerns with other Indigenous Nations. Due to the very</p>	

¹ Refers to EIS, unless otherwise noted

		<p>Appendix 8E Table 4</p>	<p>low concentrations of mercury present in the Phoenix deposit, Denison has not meaningfully studied the potential impacts the Project may have on altering mercury biogeochemistry in the downstream environment.</p> <p>BNDN notes that background mercury concentrations can be elevated in many unexpected and remote locations due to atmospheric deposition (often due to coal plants) (Jackson, 1997). BNDN is very concerned that Denison has not analyzed for mercury as part of their baseline soil geochemistry assessments for the Project, especially in wetlands downstream of the Project. Mercury concentrations in wetland soils are sensitive to changes in water chemistry that can lead to increased mercury methylation. This is especially acute from increases in nutrients and sulphates which can active sulfate reducing microorganisms that methylate mercury (Liu, Li, & Cai, 2012). Table 4 of Appendix 8e shows that the effluent discharged to Whitefish Lake will have mercury concentrations almost 5,700 times background concentrations. This dramatic increase in sulfate loading to Whitefish Lake may not exceed water quality objectives unto itself but may be sufficient to meaningfully change mercury biogeochemistry in downstream wetlands.</p> <p>BNDN is very concerned with the complete lack of assessment and analysis of baseline mercury concentrations and the potential changes to mercury cycling that could be induced by the Project.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) BNDN requests that Denison undertake baseline studies of mercury concentrations in soils, with a focus on baseline concentrations of mercury in organic wetland soils downstream of the project. Note that mercury sampling should sample total mercury and methylmercury in all analyses, as well as porewater total mercury and methylmercury. The study design and implementation should be undertaken collaboratively with BNDN. b) BNDN recommends that the CNSC requires Denison to undertake a baseline assessment of mercury in soils (with a focus on wetlands) prior to construction of the Project. This may be established as a condition of approval for the Project. c) Depending on the findings of the baseline mercury in soils and wetlands studies, the CNSC should include a condition of approval on the Project that requires Denison to monitor mercury biogeochemistry in the receiving environment over the life of mine. <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	
<p>4.</p>	<p>BNDN (February 28, 2023)</p>	<p>Figure 2.2-15 Section 2.2.3</p>	<p>Comment #30: Denison notes that they have made the conservative assumption that no water would be recycled as mining solution as part of their water balance calculations. BNDN agrees that this conservative assumption is appropriate for assessment of potential impacts of the Project. While this assumption is appropriate for the environmental assessment, BNDN wishes to understand the proportion of industrial wastewater that may</p>	

			<p>be recycled on site and any commitments Denison is willing to make regarding continual refinement of the water treatment process to increase the proportion of water that is recycled.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) BNDN requests that Denison commit to continual refinement of the Industrial Waste Water Treatment Plant (IWWTP) treatment process to maximize the amount of water that is recycled to the deposit. b) BNDN recommends that the Crown include a condition of approval for the project regarding continual improvement of water treatment to maximize recycling. c) BNDN requests that Denison share available information on the proportion of water that they currently anticipate being able to recycle. <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	
5.	BNDN (February 28, 2023)	Table 2.3-3	<p>Comment #32: Table 2.3-3 of the draft EIS shows Denison’s proposed mining area decommissioning objectives, which are the groundwater quality objectives for the residual water in the ore zone following the flushing of the system during mine decommissioning. BNDN is surprised to see that relatively high concentrations of metals are expected to remain in the restoration solution as a final objective, such as 100 mg/l uranium and 2 mg/l cobalt, amongst many other metals.</p> <p>BNDN notes that potential risks to groundwater and surface water could be dramatically reduced through more stringent mining area decommissioning objectives. It is also feasible that processing efficiencies and high uranium prices may allow for substantially lower concentrations of uranium to be mined economically. The long-term contamination of groundwater from the high concentration of metals in the restoration solution is one of BNDN’s primary concerns with the Wheeler River Project, and BNDN would strongly prefer that Denison strive to minimize the residual contamination remaining in groundwater following decommissioning to the greatest extent possible.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) BNDN requests that Denison provide documentation that estimates the time, efforts and costs associated with reducing concentrations of metals in the restoration solution by 1 order of magnitude and 2 orders of magnitude. Note that these calculations should include costs that could be recovered by processing subeconomic UBS. b) BNDN requests that Denison work with BNDN through terms defined in a BNDN project agreement to establish achievable decommissioning objectives that would be satisfactory to BNDN. c) BNDN requests that the Crown place a condition of approval upon the Wheeler River Project that Denison is required to work with BNDN to establish mutually agreeable mining area decommissioning objectives. 	

			<p>d) BNDN requests that Denison undertake a study of ISR operations elsewhere in the world to determine the lowest concentrations of UBS that could be processed economically utilizing industry best practices and commit to exceeding global standards.</p> <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	
6.	BNDN (February 28, 2023)	Section 2.9.1.3.1	<p>Comment #36: Denison documents their conceptual level environmental protection program, including several proposed management and monitoring plans which they will develop to manage operations on site.</p> <p>The environmental protection measures which Denison undertakes at the Project site are highly consequential to BNDN, and BNDN requires the opportunity to provide our knowledge and input into environmental protection measures developed for activities within our Ancestral Lands.</p> <p>Request/recommendation:</p> <p>a) BNDN requests that Denison commit to involving BNDN in the development, review and approval of all environmental monitoring plans developed for the Project. Details of BNDN involvement in the development of environmental monitoring plans should be undertaken within an Environmental Committee, with specific terms defined within a BNDN-Denison Project Agreement for the Wheeler River Project</p> <p>b) BNDN requests that the CNSC impose a condition of approval on the project which states the requirement for Denison to consult with BNDN on all environmental management and monitoring plans for the project.</p> <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	
7.	BNDN (February 28, 2023)	Section 7.6.2.3	<p>Comment #37: In Section 7.6.2.3 of the draft EIS and the geology and groundwater summary table in Appendix 16A, Denison states that they expect no residual effects to groundwater quality during the operations, decommissioning or future centuries period of the Project. Denison has also not placed a significance determination on the impacts to groundwater quality based on the findings of the draft EIS due to groundwater being considered an intermediate VC.</p> <p>BNDN disagrees with both the residual effects assessment and the fact that groundwater quality has been assessed solely as an intermediate VC. The protection of groundwater resources is highly important to BNDN. Our members place immense value on clean spring water and the protection of groundwater more generally. The advancement of the Wheeler River Project will permanently impair groundwater resources in and around the Wheeler River Project. The contamination of groundwater at the Project will have a significant impact on our members' connection to the land and ability to exercise our Treaty and</p>	

			<p>Aboriginal rights. BNDN see the limited interpretation of residual effects and the lack of inclusion of groundwater quality as a receptor VC as a significant oversight in the assessment of impacts of the Project on the environment and BNDN Treaty and Aboriginal rights. This must be corrected to properly assess the Project and thus ensure that project impacts are appropriately mitigated and accommodated.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) Denison must apply a significant determination to groundwater quality and quantity for all projects phases, including the future centuries period. The significance determination must be developed following consultation and engagement with BNDN. b) Denison must re-evaluate the residual effects of the project on groundwater quality including the future centuries period. This re-evaluation must be following consultation and engagement with BNDN. c) BNDN requests that the CNSC work with our Nation to understand the significant impacts that the permanent contamination of groundwater caused by the project will have on our Treaty and Aboriginal rights. <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	
8.	BNDN (February 28, 2023)	Section 7.8.2	<p>Comment #38: Section 7.8.2 of the draft EIS documents the groundwater monitoring proposed for the surface facilities and the ISR recovery area. It also describes a conceptual excursion contingency plan wherein Denison has proposed their plans to manage situations where groundwater contamination occurs beyond what is predicted in the EIS. BNDN notes that Section 7.8.2 lacks information on the involvement of Indigenous Nations related to groundwater monitoring.</p> <p>As stated previously, BNDN is highly concerned with the level of impact the Project will have on groundwater resources. As such BNDN requires Denison to communicate excursions of groundwater and the consequent management of excursions to our Nation.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) BNDN requests that Denison revise Section 7.8.2 to include Indigenous engagement and input for groundwater monitoring results and the management of observed groundwater excursions. The manner in which Denison engages BNDN on groundwater monitoring and management will likely occur through an Environmental Committee, which should be defined in a BNDN-Denison Project Agreement. b) BNDN requests that the CNSC impose a condition of approval on the Project that clarifies that Denison is required to engage with impacted Indigenous Nations such as BNDN on groundwater monitoring and management. <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	

<p>9.</p>	<p>BNDN (February 28, 2023)</p>	<p>Appendix 8E Table 4</p>	<p>Comment #41: Table 4 of Appendix 8e of the draft EIS shows the predicted site discharge concentrations of the contaminants of potential concern (COPCs). BNDN notes that the concentrations of a number of COPCs do not achieve water quality objectives that is the best available technology economically achievable (BATEA). Example COPCs include copper, molybdenum, selenium, uranium, vanadium, zinc and ammonia.</p> <p>BNDN requires proponents operating on our Ancestral Lands to, at a minimum, achieve BATEA standards for effluent treatment and discharge. This takes reasonable and appropriate precaution without imposing unreasonable costs on the operation.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) BNDN requests that Denison commit to achieving BATEA criteria for all COPCs in their effluent. b) Denison must work with BNDN to identify mutually agreeable and appropriate effluent discharge criteria for their effluent. BNDN expects that identifying suitable effluent discharge criteria will be undertaken through an Environmental Committee with a terms of reference defined in a BNDN-Denison project agreement c) BNDN requests that the CNSC impose a condition of approval on the Project that BNDN is engaged. <p>See Section 4.3 for additional information on this topic (p. 25-28).</p>	
<p>10.</p>	<p>BNDN (February 28, 2023)</p>	<p>8.2.4.1.1 Site Water Management</p>	<p>Comment #45: BNDN is concerned that the small volume of Effluent Monitoring and Release Ponds may create a lack of operational flexibility. For example, in the EIS, it is stated that:</p> <p>“Treated water from the IWWTP will be pumped to the three Effluent Monitoring and Release Ponds (each 3,300 m3). These ponds will be designed to hold effluent for 72 hours for testing before discharge to the environment.” – EIS, pp 723</p> <p>If water quality in these ponds exceeds discharge criteria then there may be a need to store water so that additional treatment and monitoring can occur prior to discharge. However, only having capacity for three days of storage means it is unlikely the Proponent would be able to adequately treat water prior to reaching storage capacity, resulting in a need for emergency release of poor- quality water.</p> <p>Request/recommendation:</p> <ul style="list-style-type: none"> a) BNDN requests that additional storage capacity be included as part of the design for water management system. This must include adequate storage capacity to ensure Denison has the ability to retain water for sufficient time to allow treatment, in the event that exceedances of water quality discharge criteria occur. Alternatively, Denison can commit to halting discharge (and operations if required) should water 	

			<p>quality exceed discharge criteria. Discharge into Whitefish Lake would resume once water quality in the Effluent Monitoring and Release Ponds has been returned to below discharge criteria.</p> <p>b) BNDN requests that the CNSC impose a condition of approval for the Project that requires Denison to must meet effluent discharge criteria prior to discharge and must halt operations if treated effluent in the monitoring and release ponds does not meet effluent discharge criteria.</p> <p>See Section 4.4 for additional information on this topic (p. 48-51).</p>	
11.	Peter Ballantyne Cree Nation (PBCN) (March 3, 2023)	General	<p>The Wheeler River project falls within PBCN traditional territory, where traditional land use activities have historically been and are currently practiced. PBCN has traditional territory spanning Treaty 10 with the nearest community of Southend located 185km away from the Project. PBCN has exercised aboriginal rights in and around the Project site and currently exercises Indigenous and Treaty Rights in proximity to the Project.</p> <p>PBCN is concerned that the Project has potential adverse environmental, cultural and socio-economic impacts to PBCN members, lands and uses, including hunting, fishing and gathering in all seasons.</p> <p>Both Denison and CNSC indicate that they have fulsome aboriginal engagement policies and guidelines and appear to be undertaking their delegated Crown duty to consult in good faith, as informed by those policies, principles, legal and regulatory requirements. However, there has been an initial error in the assessment, both by Denison and CNSC, as PBCN was erroneously excluded from indigenous engagement, ostensibly due to distance from Wheeler and a lack of understanding of PBCN lands and Indigenous activities potentially impacted by the project.</p> <p>PBCN wishes to participate fully in the regulatory review of the Wheeler River project. PBCN requests that the CNSC ensure that it's review timelines be adjusted, as required, to ensure fulsome participation by PBCN with the roponent and the regulator, going forward.</p> <p>PBCN's goals are to:</p> <ul style="list-style-type: none"> • Meet with CNSC to share PBCN knowledge of its land, and Indigenous uses, and how these may be impacted by the Project and methods to address any adverse impacts. • Establish a shared understanding of how PBCCN would like to be engaged in the regulatory review, including, but not restricted to, timely project updates, information and an opportunity to discuss concerns throughout the EA process, including the review of the dEIS, CNSC's staff's EA Report, and other project-related documentation 	

<p>12.</p>	<p>PBCN (March 3, 2023)</p>	<p>General</p>	<p>The Wheeler River project falls within PBCN traditional territory, where traditional land use activities have historically been and are currently practiced. PBCN has traditional territory spanning Treaty 10 with the nearest community of Southend located 185km away from the Project. PBCN has exercised aboriginal rights in and around the Project site and currently exercises Indigenous and Treaty Rights in proximity to the Project.</p> <p>PBCN is concerned that the Project has potential adverse environmental, cultural and socio-economic impacts to PBCN members, lands and uses, including hunting, fishing and gathering in all seasons.</p> <p>Both Denison and CNSC indicate that they have fulsome aboriginal engagement policies and guidelines and appear to be undertaking their delegated Crown duty to consult in good faith, as informed by those policies, principles, legal and regulatory requirements. However, there has been an initial error in the assessment, both by Denison and CNSC, as PBCN was erroneously excluded from indigenous engagement, ostensibly due to distance from Wheeler and a lack of understanding of PBCN lands and Indigenous activities potentially impacted by the project.</p> <p>PBCN meets nearly all of Denison’s stated criteria to evaluate Indigenous communities located within the Saskatchewan Northern Administration District that would be engaged by Denison.</p> <p>A full and accurate description of PBCN’s rights and interests is an essential part of the Wheeler dEIS and is necessary to ensure a fulsome environmental assessment. PBCN is interested in the opportunity to collaborate with Denison mines to comprehensively identify PBCN’s rights and interests that may be impacted by the project.</p> <p>PBCN’s goals are to:</p> <ul style="list-style-type: none"> • Work together with Denison in a spirit of mutual respect to cooperate to collectively identify means to avoid, mitigate or otherwise address potential negative impacts of the project on PBCN’s territory and the exercise of its Indigenous rights and interests. • Participate in a funding agreement with Denison to facilitate and support PBCN participation and meaningful engagement in the EA process. • Meet with Denison to share PBCN knowledge of its land, and Indigenous uses, and how these may be impacted by the Project and methods to address any adverse impacts. • Explore employment and job opportunities related to the Project. 	
<p>13.</p>	<p>Kineepik Metis Local #9 (KML) and the Northern Village of Pinehouse (NVP) (February 17, 2023)</p>	<p>Water Security Education of In-Situ Recovery and Freeze Wall Technology</p>	<p>Section 1.5 and 3.4 of KML and NVP submission: KML as a community wishes to understand the technical background of water protection processes, the Lixiviant solutions, interactions of chemical compounds with water and toxicity. The KML Community will require this knowledge to have confidence in the continued success of the new mining application on</p>	

			<p>our traditional territories. What are the potential effects to the aquifers and waters around Denison and Wheeler River?</p> <p>KML describes that they need to understand:</p> <ul style="list-style-type: none"> • how water protection processes such as reverse osmosis and water treatment are used in the mining operations. • the exact molecular compounds that are part of the “Lixiviant” solution • how this chemical compound interacts with water and at what concentrations that it becomes toxic. <p>KML further states: “If these processes are not well understood by our communities, how can we state that we are prior informed and offer consensus to the process?”</p> <p>Ultimately, as noted in their summary of Primary Concerns:</p> <ol style="list-style-type: none"> 1) There is a need for funding for education and training to reach a standard of knowledge in mining, science and math required to understand the impacts of uranium mining industry that is expected for an Indigenous community to be able to make free and prior informed decision on impact and expectation of that industry. 2) Development of a centre of Excellence in Pinehouse to organically develop the knowledge transference required for Indigenous community to understand the uranium mining industry including regulations, materials used, transportation, end use of products, education required mitigation efforts etc. 3) Support for training and education to support KML and Pinehouse on uses of artificial intelligence in the mining projects and to what level this activity can be managed by and in the community. A strategy to build capacity for matriculation graduates with the following classes English 30A 30B Chemistry 30, Physics 30, Math 30. <p>KML wants to increase the community western education levels so that they are knowledgeable and have the capacity to protect themselves and the environment.</p>	
14.	KML and NVP (February 17, 2023)	Road safety concerns Maintenance of 914 road with 914 Extension	Section 5 and 5.2 of KML and NVP submission: When determining community safety with respect to need for increased transportation for a new operation, the Indigenous people of KML have the following concerns: <ul style="list-style-type: none"> • The state of the existing road from 165 to 914: The road has received upgrades up to the kilometer 75 on highway 165. From Kilometer 75 to Kilometer 112 where Highway 165 ends and Highway 914 begins, Highway 914 needs an upgrade in width all the way to Pinehouse to create a more industrialized road. KML are not looking forward to the spring road conditions with just the current industry activity. • Every community member has reported near miss incidents with the increased traffic caused by the general resurgence of the Uranium Industry using semi truck and heavy hauls to transport material to the operations and project sites. With the increase in 	

			<p>incidents and near misses the opportunity for a major incident is inevitable, with the current road conditions. Adding the development of a new Denison mining operation will only increase this potential for incidents for people using this road.</p> <ul style="list-style-type: none"> • When you add the rough road conditions, visibility reduction in the winter and summer with dust and snow flurry from large vehicles. This causes unsafe conditions and increases the potential for incidents. • The current capacity for road maintenance from the community members of Pinehouse are not prepared for the additional maintenance requirements for the road becoming a connected road. <p>The road must be developed to an industrial rating to allow for the increase in industrial use so that members of KML do not experience safety issues. KML is requesting that the Transport Canada, Ministry of Highways respond to the concerns of Pinehouse and inform the community of the plans for road infrastructure development. KML would request the road be developed to the standard that the Key Lake and McArthur River road is managed all the way to Junction of Highway 165 and Highway 2.</p> <p>KML and NVP request further capacity to develop road management capacity so KML can provide the support necessary to manage the integrity of the road.</p> <p>As also noted in their summary of Primary Concerns, this includes a requirement for:</p> <ul style="list-style-type: none"> • Immediate efforts to build and increase emergency response capacity with community people from KML and NVP to support capacity for road incidents. • Significant improvements to the road to an industrial grade from Highway 2 to the Key Lake gatehouse to support the massive increase in heavy traffic from Industry 	
15.	KML and NVP (February 17, 2023)	Waste management of new development and historical issues	<p>Section 6.1 of KML and NVP submission: KML is concerned with cumulative impacts from historical legacy exploration and mining practices. Not specific to Denison, Cameco or Orano, KML notes that land users have often found remnants of past poor exploration practices which are now affecting our continued land use. The abandoned camps and industrial and domestic waste left with no known program for clean up are the most significant of these remnants. They would like the EIS to host in partnership with provincial government regulators to host a conversation on progressive reclamation of these legacy sites.</p> <p>This conversation should prioritise the community capacity and an environmental agent for process that occur on our traditional territories. This conversation could include changing the policies of waste (future waste) being brought into the NAD. KML's contention is that waste that is brought into the region should be removed entirely from the region. The need for a regional waste management facility or a transfer station must be developed in partnership with KML.</p>	

			<p>As noted in their summary of Primary Concerns, this includes a requirement for:</p> <ul style="list-style-type: none"> • Immediate efforts to build capacity in a regional waste management operation within or near the community. To build current and future expertise in domestic waste, special waste, recycling, and the development of a transfer station in Pinehouse to support all mining activity including current operation and exploration. 	
16.	KML and NVP (February 17, 2023)	UNDRIP and TRC Protocols	<p>Section 6.3 of KML and NVP submission: KML sees limited mention that this project has respected the intent of the United Nations Declaration on the Rights of Indigenous People or the Recommendations of the Truth and Reconciliation Commission. There is limited opportunity for this project to review the implications of UNDRIP and TRC and how this project will cause to effect for the Indigenous rights bearing members of Pinehouse. This is not case for other agencies providing information for this project.</p> <p>KML request advocacy to increase education for external agencies on the need to develop greater understanding of UNDRIP and TRC calls to actions. These agencies can be contractors, regulators, and managers within the companies. This process could be developed if the agencies co develop a centre of excellence in Pinehouse.</p>	
17.	KML and NVP (February 17, 2023)	Co-Management, Food Sovereignty and Metis Land Access	<p>Section 6.4 of KML and NVP submission: Potential impacts to KML are from increased development and access to their territory. Current provincial regulation of hunting, fishing, tourism, resources development and increase human traffic will affect and limit our ability to practice our protected rights. Western business with greater acumen may displace economic activity as they note that they are still evolving their understanding of the industry business practices.</p> <p>KML request further study on how current provincial regulations including opportunity for co-management so lessen the impacts from this project and from increased encroachment.</p>	
18.	KML and NVP (February 17, 2023)	Waste Management Plan	<p>Section 6.5 of KML and NVP submission: KML describes Indigenous Economic Leakage and Triggered Response Capacity as concerns:</p> <ul style="list-style-type: none"> • Indigenous Economic Leakage: the lack of capacity within Indigenous communities like Pinehouse prior to massive development projects like uranium mining operations. No ability in existing community development to capitalize on industrial activity in their areas because of historic colonization and racism. There are limited businesses, stores, materials and infrastructure within community to support and build upon. • Triggered Response Capacity: the respond required by the Indigenous people of KML to meet the need of industry. The community is required to change focus away from Indigenous community needs to focus on the needs of Industry. This includes time to respond to the industrial education, safety protocols, regulatory responses. The need as a community to participate in the Duty to Consult on exploration requests, feasibility studies, Environmental impact studies, negotiate agreements, industry training 	

			<p>requirements. All of this removes the community ability for practicing Indigenous cultural activities, less time of Cree language retention. This response increases as the Collateral Effect increase.</p> <p>It is acknowledged by KML that these are factors are exacerbated by an additional mine. As noted in their summary of Primary Concerns, this necessitates:</p> <ul style="list-style-type: none"> • Systemic increases in the use of services in Pinehouse including COOP store and PBNLP, Pinehouse Housing Corporation, Pinehouse Fishing COOP and Wild Rice, and KML Metis Local to prevent the continuation of Indigenous economic leakage. • Consideration to build industry supporting infrastructure such as warehousing, hotels, bulk fuels parts and mining necessities in Pinehouse to support community development and to stop the Indigenous economic leakage which has occurred over the last 50 years of development. 	
19.	English River First Nation (ERFN) (February 22, 2023)	Section 12.1.6 Residual Effects Evaluation	<p>Comment #ERFN-187: Section 12.1.6 of the EIS defines a significant adverse residual effect on Cultural Expression as “an effect that is highly different from baseline conditions and trends and cannot be managed or mitigated through adjustments to existing programs, policies, or other mitigation.” The EIS goes on to state that “because residual adverse effects on Cultural Expression are not expected to result in this level of change, effects are expected to be not significant for the Project.”</p> <p>ERFN does not agree with this assessment of the potential residual effects of the Project, which is fundamentally deficient based on the limited scope of KIs and measurable parameters that were selected for analysis. ERFN also does not agree that the mitigation measures presented in Section 12.1.5 are sufficient to address effects of the Project on Cultural Expression that will be highly different from baseline conditions.</p> <p>Question/Recommendation: Until Section 12.1 is revised to include a more holistic consideration of KIs and measurable parameters for Cultural Expression that ERFN has set out above, Denison’s assessment of the nature of potential Residual Effects should be considered incomplete and deficient. In addition, until ERFN confirms CNSC that Denison and ERFN have reached mutually agreed-upon terms of mitigation and accommodation that address the effects of the Project on Cultural Expression, this EIS should not be considered complete or approved by CNSC.</p>	
20.	ERFN (February 22, 2023)	Section 12.2.6 Residual Effects Evaluation	<p>Comment #ERFN-194: Section 12.1.6 of the EIS defines a significant adverse residual effect on Cultural Expression as “an effect that is highly different from baseline conditions and trends and cannot be managed or mitigated through adjustments to existing programs, policies, or other mitigation.” The EIS goes on to state that “because residual adverse effects on Cultural Expression are not expected to result in this level of change, effects are expected to be not significant for the Project.” ERFN does not agree with this assessment of</p>	

			<p>the potential residual effects of the Project, which is fundamentally deficient based on the limited scope of KIs and measurable parameters that were selected for analysis. ERFN also does not agree that the mitigation measures presented in Section 12.2.5 are sufficient to address effects of the Project on Cultural Expression that will be highly different from baseline conditions.</p> <p>Question/Recommendation: Until Section 12.2 is revised to include a more holistic consideration of KIs and measurable parameters for Community Well-Being that ERFN has set out above, Denison’s assessment of the nature of potential Residual Effects should be considered incomplete and deficient. In addition, until ERFN provides confirmation to CNSC that Denison and ERFN have reached mutually agreed upon terms of mitigation and accommodation that address the effects of the Project on Community Well-Being, this EIS should not be considered complete or approved by CNSC.</p>	
21.	ERFN (February 22, 2023)	Section 13.2.1 Key Indicator: Employment and Training (all indicators)	<p>Comment #ERFN-213: The data are not presented from a GBA+ perspective, limiting the assessment’s estimate of the Project adverse or disproportionate impacts separated based on gender, sexual orientation, race, or other factors which have historically been used to disadvantage populations interacting with mining projects.</p> <p>Question/Recommendation: Complete the assessment using a GBA+ framework.</p>	
22.	ERFN (February 22, 2023)	Section 13.5.2. Summary of Project- related Residual Adverse Effects on Economy	<p>Comment #ERFN-238: The effects of the Traditional Economy are likely underestimated. The effects from a GBA+ perspective are unknown. The potential boom- bust effects of the Project are not considered.</p> <p>Question/Recommendation: Assess the impact of the project on GBA+. Re-assess the direction of the residual impact if necessary.</p>	
23.	ERFN (February 22, 2023)	Section 14.6.3.4 Evaluation of Consequences	<p>Comment #ERFN-257: Denison argues in sections 14.6.3.1, 14.6.3.3 and 14.6.3.4 without substance that the risk of groundwater contamination due to the loss of freeze capacity is very unlikely. The lack of evidence presented to substantiate these claims is alarming to ERFN. ERFN agree that under normal circumstances the likelihood of the freeze wall failing allowing for groundwater contamination is on the lower end of the likelihood spectrum, however, ERFN are not currently assessing effectiveness under normal circumstances, but rather as a result of accident or malfunction. Based on the discussion provided in section 14.6.3.4, there is great concern to ERFN that Denison would be a) able to detect the failure of a freeze wall and b) identify the exposure pathway to enable Denison to take appropriate action before catastrophic environmental impacts are observed.</p>	

			<p>Black Lake First Nation and Fond du Lac First Nation are signatories to Treaty 8, and as such all have Treaty Rights within the Project area and that ; that our communities are in proximity to the Project and have demonstrated traditional activity</p> <ul style="list-style-type: none"> • Comment #15, Appendix B: YNLR notes that the Athabasca Denesųline has relationships with other projects such as McArthur River and Key Lake as indicated in ROC-78, page 504, Combined Appendices for the Wheeler River Project Draft EIS. • Comment #17, Appendix B: Given these EIS defined criteria, YNLR has difficulty understanding why the Athabasca Denesųliné have been excluded from Indigenous COI status for this project. Exclusion of COI status means loss of opportunity for the communities to be part of greater engagement throughout all stages of the Project. Lost opportunities are considerable and include loss of participation at all phases of the Project and include influence regarding the boundaries of the study areas, possibilities for increased discussions regarding environmental and health concerns, mitigation procedures, and planned remediation, potential to participate in monitoring and research projects and future opportunities such as employment. • Comment # 35, Appendix B: YNLR notes that the engagement database demonstrates that their opportunities to contribute were limited. For example, of the approximately 101 pages of Engagement Database tables that are dispersed through several sections of the appendices for the EIS (2022), there are 6 entries credited to the Athabasca Denesųliné. Given an average of 3 to 5 entries per page in the tables, this means that only 1-2% of the contributions were made by the Athabasca Denesųliné. These limited opportunities may well be the result of the exclusion of Athabasca Denesųline from the COI category. 	
<p>25.</p>	<p>MN-S (March 4, 2023)</p>	<p>Executive Summary, Section 3 Project Setting</p> <p>Executive Summary, Section 3.4.3 Proposed Schedule and Activities</p> <p>Executive Summary, Section 4 General</p> <p>EIS, Glossary</p>	<p>Issue #ES-002: Denison does not acknowledge that the Project falls within the MN-S Homeland.</p> <p>Issue #ES-013: MN-S is listed under Indigenous Organizations instead of Indigenous Communities of Interest.</p> <p>Issue #ES-012, ES-005 and 4-001: Per Denison’s definition, MN-S, NR1 Locals, and NR3 Locals should be considered an Indigenous Community of Interest. Denison notes site visits as the only engagement-associated activities in each Project Phase. Additional involvement opportunities should be provided to MN-S throughout the life of the Project</p> <p>Further, MNS refers to CNSC correspondence (Appendix A) indicating that consultation and engagement was expected to be with NR1 Locals, NR2 Locals, NR3 Locals, and MN-S. Given NR2’s involvement in NexGen and Fission, MN-S limited its engagement and consultation expectations to NR1 Locals, NR3 Locals, and itself.</p> <p>Recommendations:</p>	

			<ul style="list-style-type: none"> • Denison needs to engage all potentially impacted Métis, including: MN-S, NR1 Locals, and NR3 Locals, in addition to Kineepik Metis Local #9, as an Indigenous Community of Interest throughout the life of the Project. • Denison needs to revise their Indigenous Community of Interest definition in the Final EIS to reflect the uniqueness of Métis governance structures. Specifically, a definition that recognizes Métis Locals proximate to the Project, MN-S, and MN-S regional leadership. • Denison needs to engage MN-S, NR1 Locals, and NR3 Locals, to understand their preferred level of involvement throughout the life of the Project. • Denison needs to acknowledge MN-S, NR1 Locals, and NR3 Locals as an Indigenous Community of Interest in the Final EIS. • Denison needs to revise the Final EIS Executive Summary to note that the Project falls within the Homeland of MN-S, NR1 Locals, and NR3 Locals. Denison needs to apply this change throughout the EIS, where applicable. • Denison to acknowledge that lease review data is not an appropriate way to determine Métis traditional resource use in and around the Project in the Final EIS. 	
26.	Prince Albert Grand Council (PAGC) (March 6, 2023)	General Comments	<p>Overall Comments from the PAGC submission: The EIS does not address multiple issues related to ecosystems, human health, and the long-term sustainability of the Wheeler River project, particularly Indigenous concerns regarding the loss of caribou, wolverine and other culturally significant animals. There are no details on economic benefits from the mines through Indigenous partnerships, including equity-based participation in the workforce with training opportunities for Indigenous personnel to operate in management roles.</p> <p>PAGC requests a response from the CNSC in writing to the General Manager Lands and Resources Secretariat Mr. Robin McLeod indicating how the outlined concerns will be addressed.</p>	