Environmental Impact Statement – Consolidated Comments from Indigenous Nations and Communities and the Public on the NexGen Rook I Project Draft EIS (For NexGen Response)

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
1.	Clearwater River Dene Nation (CRDN) November 11, 2022)	General	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. 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? NexGen should work with CRDN to develop it's own standards/thresholds in order to understand the risks they are bearing. 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?	NexGen notes that the perception of Project effects was considered within the assessments of Indigenous land and resource use (Draft EIS Section 16 [Cultural and Heritage Resources and Indigenous Land and Resource Use]) and other land and resource use (Draft EIS Section 17 [Other Land and Resource Use]). As noted in Draft EIS Section 16.6.2 (Significance Determination), NexGen acknowledges that continued land and resource use activities are critical to local Indigenous Groups and communities, and necessary to maintain a social licence to operate. NexGen is committed to engaging directly with the Indigenous Groups, including the CRDN, throughout the Project lifespan regarding ways to minimize the concerns associated with perceived effects. It is expected that this engagement will occur through the mechanisms existing in either the Environmental Committees or Implementation Committees as implemented through the Benefit Agreements signed with the primary Indigenous Groups. In addition, NexGen is currently advancing a Regional Traditional Foods Study in collaboration with primary Indigenous Groups, including t he CRDN. The Regional Traditional Foods Study would represent an update to the Traditional Foods diet used in the Draft EIS. Early engagement with primary Indigenous Groups on the Regional Traditional Foods Study design commenced in the last quarter of 2022, with follow-up engagement continuing in 2023 and 2024. This study is intended to be completed in 2024.
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 significant" (pages 161-162). ▪ 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?	NexGen notes that the Master Executive Summary provides a high-level summary of information contained within the Draft EIS, including information regarding predicted effects of the Project on the environment. More comprehensive information regarding the assessment of valued components and intermediate components, including the rationales to determine Project effects, may be found in the discipline assessment sections of the Draft EIS (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-Being]). More general information regarding effects classification terminology and the weight of evidence approach used to determine potential effects of the Project on the environment is presented in Draft EIS Section 6.9 (Residual Effects Classification and Determination of Significance). In general, terms such as 'low', 'minor', and 'negligible' indicate that Project effects are not expected to be harmful to people or the environment. The residual effects classification of 'not significant' means that, in consideration of predicted Project effects, the assessment endpoint (i.e., the key properties of a valued component that should be protected) is predicted to be maintained (Draft EIS Section 6.3.2 [Assessment Endpoints and Measurement Indicators]).
3.	CRDN (November 11, 2022)	Sections 5.2, p. 155	▪ 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. ▪ How will light pollution be measured over the duration of project and what is the design to "minimize sensory 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)? More Information regarding sampling frequency to indicate the time of year all samples were collected for all studies. ▪ 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?	NexGen notes that the Master Executive Summary provides a high-level summary of information contained within the Draft EIS, including information regarding predicted effects of the Project on the environment. More comprehensive information regarding existing conditions, the assessment of Project effects, and proposed mitigation and monitoring measures may be found in the discipline assessment sections of the Draft EIS (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-Being]). A summary of proposed mitigation and monitoring programs may also be found in Draft EIS Appendix 23A (Summary of Project Environmental Design Features and Mitigation Measures) and Draft EIS Appendix 23B (Environmental Assessment Monitoring and Follow-Up Programs Proposed for the Project), respectively. More detailed information on baseline data collection may be found in Draft EIS Annex I (Atmospheric Baseline Report) through Draft EIS Annex X (Socio-economic Baseline Report).
4.	CRDN (November 11, 2022)	Section 2.3.2 Project Components and Activities, Monitoring ponds	▪ 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?	NexGen notes that the Master Executive Summary provides a high-level summary of information contained within the Draft EIS, including information regarding Project design components. More comprehensive information regarding Project components and activities may be found in Draft EIS Section 5 (Project Description). The following provides a general summary of information contained within the Draft EIS in response to the reviewer's comment: ▪ The monitoring ponds would be used to monitor water quality prior to release to the environment. Monitoring would include constituents of potential concern (e.g., those constituents identified for the most recent regulatory-approved environmental risk assessment or identified in the EIS) or supporting parameters that provide additional information about a constituent of potential concern. These would include applicable major ions, nutrients, total metals, and radionuclides.

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				▪ Waste rock is rock that is mined to access ore but does not carry mineral grades suitable for economic recovery. Tailings are the material (i.e., finely ground up residuals) that remain mill after the economically valuable minerals are recovered from processed ore. ▪ Waste rock is mined from the underground to allow access to the ore and to make space for underground storage of tailings. Once rock is mined and/or processed, it takes up more volume than it did when in the form of bedrock. Therefore, there is some residual waste rock that would need to be deposited on surface. Waste rock that will be placed on surface is physically and chemically more stable than the materials (i.e., tailings) planned to be stored underground. The west bermed runoff collection area would receive runoff from the local contributing area as well as overflow from contact water pond #2, if required. Water in contact water pond #2 would be treated, if necessary, prior to any release to the west bermed runoff collection area. This bermed area would prevent suspended solids entrained in runoff water from entering Patterson Lake by natural filtration through an unlined berm. Predicted water quality in the west bermed runoff collection area was considered in the water quality assessment (Draft EIS Section 10 [Water Quality and Sediment Quality]).
5.	CRDN (November 11, 2022)	Section 1.2.6 General Schematic	▪ 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.	NexGen confirms that COPCs would be monitored for the hydrogeologic environment. The Project is in the sporadic scattered discontinuous permafrost zone and no permafrost was encountered in the baseline soil surveys. Therefore, hydraulic conductivity of groundwater was not assumed to be impeded by permafrost.
6.	CRDN (November 11, 2022)	Section 1.2.7 Decommissioning and Reclamation	▪ 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?	The Province of Saskatchewan will require a financial assurance from NexGen that would cover the costs associated with reclaiming the Project site to meet the reclamation objectives of the decommissioning and reclamation plan. The invasive species management plan is not currently available, as this will be developed during licensing. NexGen notes that there are existing mechanisms within the Environmental Committee established under the Benefit Agreement between NexGen and the CRDN to share such documents. As the Project proceeds, NexGen will provide opportunities to the CRDN to participate in the Project decommissioning and reclamation plan updates. As part of the Benefit Agreement signed between NexGen and the CRDN, the Environmental Committee represents the planned mechanism for this collaboration. Similarly, the CRDN will have the opportunity to be involved in socioeconomic planning through the Implementation Committee created as part of the Benefit Agreement commitments. Neighbourhood and physical environment well-being was a measurement indicator in Draft EIS Section (Community Well-Being). The findings of the community well-being assessment showed that community well-being in the local study area (which includes the CRDN) would be maintained. As described in Draft EIS Section 19.6.2 (Significant Determination), the Benefit Agreement signed between NexGen and the CRDN is anticipated to be an important tool in allowing communities to identify and prioritize initiatives related to health and well-being, along with cultural and traditional values. It is unknown how the value of CRDN land will be affected by the Project. Any heat produced by Project facilities is expected to dissipate quickly and would not have a measurable effect on local biomes or human settlements; no studies on this topic have been completed for the Project.
7.	CRDN (November 11, 2022)	Section 5 Infrastructure and Design	▪ 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?	NexGen intends to reuse and recycle materials to the extent possible throughout the Project lifespan, including Closure. As described in Draft EIS Section 5.5.3.1 (Active Closure Stage), wherever practicable, surface and underground infrastructure, equipment, and materials that are not required during the Active Closure Stage and that meet radiological criteria for off-site removal would be salvaged, sold, or transferred off site for recycling or disposal. NexGen acknowledges that reuse and recycling would not be possible for all materials and facilities (e.g., material contaminated with low-level radioactive waste). These items would be disposed of off site at appropriate facilities or disposed of in the underground mine workings. NexGen is not proposing to create a landfill for Project waste. Final locations for off-site disposal for the Project have not been determined at this time.

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8.	CRDN (November 11, 2022)	Section 19 Community well-being	▪ 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 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). ▪ Recommend reviewing all indicators of the social-cultural impacts and wellbeing to be included and analyzed	The indicators selected for the community well-being valued component were based on likely community interactions with the Project, both on-site and within the community. In Draft EIS Section 19 (Community Well-Being), societal and cultural well-being considered crime and safety and governance as well as culture and demographics. Health well-being considered overall health, which included mental health and physical health. Draft EIS Section 19 also examined potential negative aspects of increased disposable income in the communities. There are no community protections required at site or for the local communities as community members would not be permitted on-site without authorization and workers would not be permitted to leave the site while on-shift for non-work-related purposes; these aspects minimize the potential for undesirable interactions at the Project site or within the local communities. NexGen will not be providing policing or judicial services to the community. On-site security would call the RCMP for incidences requiring law enforcement beyond the authority of site security. NexGen has committed to provide dedicated space for Elders to be available to support employees to assist with employee retention; however, the details of Elder support are yet to be determined and would likely be discussed through the mechanisms within the Benefit Agreements signed between NexGen and the primary Indigenous Groups, including the CRDN. Timelines for conducting any community surveys and determining the need for support would be discussed through the mechanisms described within the Benefit Agreement signed between NexGen and the CRDN. NexGen is not proposing to make any changes to the measurement indicators used within Draft EIS Section 19.
9.	CRDN (November 11, 2022)		When considering that mental health risks are 'new' to the assessment process during project development: ▪ CRDN needs new and continued assessments completed to ensure thorough consideration of the mental well-being of their community members, especially regarding mental stress.	NexGen notes that the Draft EIS examined the social determinants of health, of which health well-being, including mental health, was considered. Existing mental health conditions were discussed in Draft EIS Section 19.3.2.3 (Overall Health). Potential Project effects on health well-being were considered in Pathway ID CWB-01 to Pathway ID CWB-05 and Pathway ID CWB-09 to Pathway ID CWB-12 in Draft EIS Section 19.4 (Project Interactions and Mitigations), and in Draft EIS Section 19.5 (Residual Effects Analysis). NexGen notes that a specific mental health assessment is outside the scope of CEAA 2012. However, NexGen further notes that mechanisms exist under the Benefit Agreement signed between NexGen and the CRDN to pursue initiatives such as a future mental health assessment through the Implementation Committee. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
10.	CRDN (November 11, 2022)		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 ▪ 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?	NexGen notes that the perception of Project effects was considered within the assessments of Indigenous land and resource use (Draft EIS Section 16 [Cultural and Heritage Resources and Indigenous Land and Resource Use]) and other land and resource use (Draft EIS Section 17 [Other Land and Resource Use]). As noted in Draft EIS Section 16.6.2 (Significance Determination), NexGen acknowledges that continued land and resource use activities are critical to local Indigenous Groups and communities, and necessary to maintain a social licence to operate. NexGen is committed to engaging directly with the Indigenous Groups, including the CRDN, throughout the Project lifespan regarding ways to minimize the concerns associated with perceived effects. It is expected that this engagement will occur through the either the Environmental Committees or Implementation Committees as implemented through the Benefit Agreements signed with the primary Indigenous Groups. In addition, NexGen is currently advancing a Regional Traditional Foods Study in collaboration with primary Indigenous Groups, including the CRDN. The Regional Traditional Foods Study would represent an update to the Traditional Foods diet used in the Draft EIS. Early engagement with primary Indigenous Groups on the Regional Traditional Foods Study design commenced in the last quarter of 2022, with follow-up engagement continuing in 2023 and 2024. This study is intended to be completed in 2024.

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11.	CRDN (November 11, 2022)	Section 5.5.3 Figure 5-6, Summary – page 166	Does not account for the impact of stress on the indigenous community Comment: ▪ Perceived risks need to be accessed and the impacts of long-term stress on the mental and emotional well-being of the community members	NexGen notes that the perception of Project effects was considered within the assessments of Indigenous land and resource use (Draft EIS Section 16 [Cultural and Heritage Resources and Indigenous Land and Resource Use]) and other land and resource use (Draft EIS Section 17 [Other Land and Resource Use]). NexGen is committed to engaging directly with the Indigenous Groups, including the CRDN, throughout the Project lifespan regarding ways to minimize the concerns associated with perceived effects. It is expected that this engagement will occur through the either the Environmental Committees or Implementation Committees as implemented through the Benefit Agreements signed with the primary Indigenous Groups.
12.	CRDN (November 11, 2022)	Section 2.2.2, Summary Document p. 21 and p. 5-6	Draft a Site Employment Management Plan ▪ 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 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 opportuning for higher ranges of employment opportunities.	NexGen will undertake several measures to facilitate Project accessibility and opportunities for local residents, including CRDN members. These measures include: ▪ Implementing a tailored local workforce recruitment strategy to confirm that LPA residents are fully aware of and understand access to Project employment opportunities. ▪ Working with relevant training institutions to facilitate delivery of certified and accredited training and recruitment programs for construction and mining-related skills targeted at employment opportunities for LPA residents and continuing to provide scholarship and summer student opportunities. ▪ Working with local communities to develop culturally sensitive employment policies to address both recruitment and retention barriers. ▪ Using best efforts to provide qualified local residents with a first preference for employment and training opportunities. ▪ Establishing a mentoring program to support long-term participation of LPA residents in the Project workforce. ▪ Prioritizing advancement of qualified local residents into increasingly senior positions. ▪ Setting a long-term aspirational target of 75% of the Project's workforce being composed of LPA residents. ▪ Implementing provisions of Benefit Agreements related to employment and training. NexGen notes that, in both 2022 and 2023, in-community sessions were held at schools within the local Project area, including the CRDN, to deliver presentations and share information about NexGen, the Project, and the potential career opportunities that will be available. NexGen further notes that, in 2023, a regional training committee was established between representatives of NexGen, primary Indigenous Groups (including the CRDN), and training institutions to identify and develop training opportunities for higher ranges of employment opportunities for the Project. This committee continues to meet on a regular basis.
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).	NexGen is working with local Indigenous Groups, including the CRDN, to implement independent environmental monitoring. In combination with standard Project monitoring processes, independent monitoring by primary Indigenous Groups would be used to verify Project performance and to determine if mitigations and controls are effective in protecting the receiving environment. The intent of the independent Indigenous monitoring program is to provide unfettered access to the site during all Project phases, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific requirements, and would allow for environmental monitoring opportunities, including independent environmental sampling.
14.	CRDN (November 11, 2022)		CRDN requests that NexGen co- develop programs with CRDN to facilitate CRDN confidence in industry and land use safety.	NexGen notes that programs to facilitate CRDN confidence in industry and land use safety include independent Indigenous monitoring and other opportunities that could be identified and supported through existing mechanisms under the Benefit Agreement signed between NexGen and the CRDN, including work conducted by the Environmental Committee and Implementation Committee.
15.	CRDN (November 11, 2022)		CRDN requires all collected data from NexGen within a reasonable and mutually agreeable timeframe.	NexGen notes that mechanisms for sharing environmental monitoring data with the CRDN exist through the Environmental Committee established through the Benefit Agreement signed between NexGen and the CRDN.
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.	NexGen notes that a Health Impact Assessment is outside the scope of CEAA 2012. NexGen further notes that mechanisms exist under the Benefit Agreement signed between NexGen and the CRDN to pursue initiatives such as a future Health Impact Assessment through the Implementation Committee. **References** *Canadian* Environmental *Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.

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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.	NexGen notes that the topic raised by the reviewer is addressed through the Benefit Agreement signed between NexGen and the CRDN. The Environmental Committee would oversee and monitor the environmental performance of the Project and verify that the parties are implementing the regulatory and environmental commitments made with respect to the Project. The Environmental Committee will review environmental performance reports with respect to the Project, provide feedback on environmental protection measures and monitoring programs, review and participate in environmental response measures and preventative and corrective actions, and oversee the Indigenous monitoring activities. The Environmental Committee will also participate in field visits; commission or complete audits, assessments, and reports; and report to and communicate with the CRDN on environmental performance matters through the lifespan of the Project.
18.	CRDN (November 11, 2022)		CRDN recommends that NexGen engages with CRDN prior to any changes to sampling frequency during adaptive management.	Through the Benefit Agreement signed between NexGen and the CRDN, the Environmental Committee would oversee and monitor the environmental performance of the Project and verify that the parties are implementing the regulatory and environmental commitments made with respect to the Project. The Environmental Committee will review environmental performance reports with respect to the Project, provide feedback on environmental protection measures and monitoring programs, review and participate in environmental response measures and preventative and corrective actions, and oversee the Indigenous monitoring activities. The Environmental Committee will also participate in field visits; commission or complete audits, assessments, and reports; and report to and communicate with the CRDN on environmental performance matters through the lifespan of the Project. Engagement protocols specific to adaptive management activities for the Project would be determined through the Environmental Committee, as required.
19.	CRDN (November 11, 2022)		CRDN recommends that CRDN community members to be present during each site visit.	NexGen notes that open access by CRDN members would be incompatible with site safety and operational requirements. However, the CRDN independent Indigenous Monitor would have unfettered access to the Project site, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific requirements. In addition, the Implementation Committee and Environmental Committee established through the Benefit Agreement signed between NexGen and the CRDN would also organize and/or participate in field visits.
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.	As part of the Benefit Agreement signed between NexGen and the CRDN, NexGen will fund a full-time, independent Indigenous Monitor who will regularly report to, and attend all meetings of, the Environmental Committee. NexGen will provide funding for the engagement of the Indigenous Monitor and performance of their ongoing activities for the lifespan of the Project. Additionally, NexGen has committed to: ▪ Working with relevant training institutions to facilitate delivery of certified and accredited training and recruitment programs for construction and mining-related skills targeted at employment opportunities for LPA residents and continuing to provide scholarship and summer student opportunities. ▪ Implementing provisions of Benefit Agreements related to employment and 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.	NexGen notes that the topic raised by the reviewer is addressed through the Benefit Agreement signed between NexGen and the CRDN. As part of the Benefit Agreement, NexGen has proposed funding a full-time, independent Indigenous Monitor who will regularly report to, and attend all meetings of, the Environmental Committee. The intent of this position is to provide unrestricted environmental monitoring opportunities, including independent environmental sampling, for the life of the Project (i.e., through Construction, Operations, and Closure). The Indigenous Monitor will also participate in annual Indigenous community meetings to report openly and without restriction on the environmental performance of the Project to community members. NexGen will provide funding for the engagement of the Indigenous Monitor and performance of their ongoing activities for the lifespan of the Project. NexGen further notes that the specific scope of monitoring activities will be developed through the Environmental Committee.
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.	NexGen would be supportive of development of a broader regional Land Use Plan; however, NexGen notes that the Province of Saskatchewan is responsible for the development of Land Use Plans.

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23.	Birch Narrows Dene Nation (BNDN) October 12, 2022)		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. NexGen must negotiate mitigation and accommodation measures with BNDN that are commensurate with the impacts to land use and cultural sites.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition to the context provided above, NexGen notes that mitigation measures committed to in the EIS including the implementation of a Benefit Agreement; limiting the Project footprint to the extent practical using practices such as optimizing use of cleared areas for Project activity, using existing road infrastructure, including existing access road and bridge crossing, storing tailings underground, and designing an efficient infrastructure footprint (i.e., buildings clustered together); implementing progressive reclamation and revegetation of disturbed areas no longer required; and reclaiming and revegetating areas where non-permanent Project facilities have been decommissioned (EIS Section 16.4 [Project Interactions and Mitigations], Table 16.4-1) are designed to minimize and offset potential effects to Aboriginal and Treaty Rights. NexGen further notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
24.	BNDN (October 12, 2022)		BNDN members utilize the Study Area for traditional land use activities. 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. 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.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition to the context provided above, NexGen notes that mitigation measures committed to in the EIS including the implementation of a Benefit Agreement; limiting the Project footprint to the extent practical using practices such as optimizing use of cleared areas for Project activity, using existing road infrastructure, including existing access road and bridge crossing, storing tailings underground, and designing an efficient infrastructure footprint (i.e., buildings clustered together); implementing progressive reclamation and revegetation of disturbed areas no longer required; and reclaiming and revegetating areas where non-permanent Project facilities have been decommissioned (EIS Section 16.4 [Project Interactions and Mitigations], Table 16.4-1) are designed to minimize and offset potential effects associated with Indigenous land and resource use activities. NexGen further notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
25.	BNDN (October 12, 2022)		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. 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.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the

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				workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition to the context provided above, NexGen notes that mitigation measures committed to in the EIS including the implementation of a Benefit Agreement; limiting the Project footprint to the extent practical using practices such as optimizing use of cleared areas for Project activity, using existing road infrastructure, including existing access road and bridge crossing, storing tailings underground, and designing an efficient infrastructure footprint (i.e., buildings clustered together); implementing progressive reclamation and revegetation of disturbed areas no longer required; and reclaiming and revegetating areas where non-permanent Project facilities have been decommissioned (EIS Section 16.4 [Project Interactions and Mitigations], Table 16.4-1) are designed to minimize and offset potential effects associated with cultural continuity. NexGen further notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
26.	BNDN (October 12, 2022)	EIS Master Executive Summary, section 5.5	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. 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.	NexGen notes that the Master Executive Summary provides a high-level summary of information contained within the Draft EIS, including information on how study areas were determined and the incorporation of information provided by Indigenous Groups. More comprehensive information on the establishment of study areas for the 'people' components of the assessments conducted for the EIS are included in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use) through Draft EIS Section 19 (Community Well-being). NexGen confirms that the local study areas (LSAs) and regional study areas (RSAs) were developed in consideration of relevant technical requirements as well as information provided by communities through Indigenous Knowledge and Traditional Land Use (IKTLU) Studies, key person interviews, and JWG meetings. As an example, the Draft EIS Section 16 LSA was created by considering potential environmental effects (e.g., fish, vegetation, wildlife), human health effects, and Indigenous use (including travel and land use), and the RSA comprised the fur blocks used by the communities, which roughly aligned to the various traditional territories of the four primary Indigenous Groups (i.e., did not require NexGen to create a custom boundary and unintentionally disclose confidential information from the various IKTLUs). The LSA and RSA were also developed in consideration of the known and documented land use patterns by Indigenous Groups across the landscape. The LSA's geographic scope was conservatively scoped by using the RSA for supporting valued components (i.e., aquatic, terrestrial, and human health) because of the potential for broader direct and indirect effects on land users. A detailed explanation of the spatial boundaries for Cultural and Heritage Resources and Indigenous Land and Resource Use can be found in Draft EIS Section 16.2.3. A detailed explanation of the spatial boundaries for Other Land and Resource Use can be found in Draft EIS Section 17.2.3. A detailed explanation of the spatial boundaries for Economy can be found in Draft EIS Section 18.2.3. A detailed explanation of the spatial boundaries for Community Well-being can be found in Draft EIS Section 19.2.3. NexGen also notes that information regarding the factors considered in the development of Project LSAs and RSAs were a topic of discussion during development of the Draft EIS through JWGs meetings, including May 2021 (Indigenous Land and Resource Use), June 2021 (Community Well-being), and August 2021 (Economy). In addition, in November 2022 following submission of the Draft EIS, EA results, including study areas for atmosphere, land, water, and socio-economic disciplines, were presented to the BNDN Environmental Committee. No further comments regarding study areas were received at that time.
27.	BNDN (October 12, 2022)		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.	a) This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential

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			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.	effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition to the context provided above, NexGen notes that the process to include Indigenous and Local Knowledge was discussed with the BNDN during Joint Working Group (JWG) meetings and is discussed in EIS Section 3.6 (Incorporation of Indigenous and Local Knowledge). b) This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition to the context provided above, NexGen notes that opportunities to discuss the process to include findings from the Indigenous Knowledge and Traditional Land Use Studies with the respective Indigenous Groups has been provided through multiple forums including EIS results presentations, Implementation Committee meetings, and JWG/Environmental Committee meetings (EIS Appendix 2A [Indigenous Group Engagement Activities]) as well as through the EA review period. c) NexGen has included BNDN Indigenous Knowledge (IK) into the EIS using information shared through the JWGs and the IKTLU Study, as agreed to in the Study Agreement signed between NexGen and the BNDN. The manner in which information from the BNDN's IKTLU Study were incorporated within the Draft EIS were discussed through JWG meetings, including specific discussions with the JWG on how information (e.g., quotes from or references to information from the IKTLU Study) should be included in the Draft EIS. In addition, NexGen and the BNDN, CNSC, and ENV met in January 2022 to discuss the inclusion of the BNDN's IKTLU Study as a confidential document as part of the EIS submission. Therefore, additional efforts to incorporate BNDN IK into the Final EIS or separately as part of a Final EIS submission are not required. NexGen notes that the Benefit Agreement signed with the BNDN includes the formation of an Environmental Committee. Should the BNDN request, the Environmental Committee can work collaboratively to incorporate BNDN IK into updates to or development of Project mitigation measures or management plans. d) NexGen notes that no Indigenous sites were identified in the maximum disturbance area defined for the Project design through the IKTLUs or JWGs. With respect to potential heritage resources, NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including communication protocols. NexGen further notes that mechanisms exist through the Environmental Committee established through the Benefit Agreement signed between NexGen and the BNDN to conduct these requested activities. In addition, limiting the Project footprint to the extent practical using practices such as optimizing use of cleared areas for Project activity, using existing road infrastructure, including existing access road and bridge crossing, storing tailings underground, and designing an

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				efficient infrastructure footprint (i.e., buildings clustered together); implementing progressive reclamation and revegetation of disturbed areas no longer required; and reclaiming and revegetating areas where non-permanent Project facilities have been decommissioned (EIS Section 16.4 [Project Interactions and Mitigations], Table 16.4-1) are designed to minimize effects to heritage resources. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
28.	BNDN (October 12, 2022)		The chance find procedure for unanticipated heritage resources is not present or easily found in the material to review. 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	a) As outlined in Draft EIS Section 16.4.(Project Interactions and Mitigations), NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including communication protocols. b) As outlined in Draft EIS Section 16.4.(Project Interactions and Mitigations), NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including communication protocols. NexGen notes that mechanisms exist through the Environmental Committee established through the Benefit Agreement signed between NexGen and the BNDN to conduct these requested activities.
29.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter	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. BNDN requests that NexGen provide a description how Indigenous Knowledge informed the assessment of heritage resources, including: I. the location of areas assessed; II. whether members of the communities participated in fieldwork; and III. how community mapped values were considered. 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.	As presented in Draft EIS Section 16.3.1 (Cultural and Heritage Resources) and Draft EIS Annex IX (Heritage Resources Impact Assessment and Cover Letter), the heritage resource study was conducted in conformance with Section 63 of *The Heritage Property Act*. The field programs were carried out by qualified professionals to meet field protocol requirements. No archaeological resources were discovered during the Heritage Resources Impact Assessment for the Project. Specific BNDN Indigenous Knowledge was not used during the Heritage Resources Impact Assessment. With respect to potential heritage resources that may exist but were not encountered during the Heritage Resources Impact Assessment, NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including communication protocols. NexGen notes that mechanisms exist through the Environmental Committee established through the Benefit Agreement signed between NexGen and the BNDN to conduct such activities. Indigenous Knowledge and Traditional Land Use Studies were used to confirm no Indigenous sites were present in the area, and heritage surveys were completed in areas of moderate to high heritage potential, either as outlined by the Heritage Conservation Branch and/or by the archaeologist in the field. Archaeologists used their experience and knowledge to assess areas of high heritage potential (i.e., where people may have camped, hunted, travelled, or undertaken other activities). NexGen notes that BNDN members participated in site tours, linear infrastructure reclamation projects, and other site-based activities, and none of those participants identified Indigenous sites in the are of the Project. NexGen also provided a helicopter to explore a potential Indigenous heritage site to the east of the area of the Project (i.e., well outside the EIS assessment area) to support the BNDN cultural initiatives. As noted above, NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including communication protocols. **<u>References</u>** *The Heritage Property Act*. SS 1979-80, c H-2.2. Effective 28 November 1980. Available at https://www.canlii.org/en/sk/laws/stat/ss-1979-80-c-h-2.2/latest/ss-1979-80-c-h-2.2.html.
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.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference.

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				NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition to the context provided above, NexGen confirms that funding will be provided for full-time independent Indigenous Monitors and that aspects of the Benefit Agreement include funding to support community-related initiatives including but not limited to cultural and traditional values (EIS Appendix 23A [Summary of Project Environmental Design Features and Mitigation Measures], Table 23A-6).
31.	BNDN (October 12, 2022)	EIS Master Executive Summary, Section 5.5.2	There is no recommendation that a training course be required for workers to: a) Identify unanticipated heritage resources, including common artifacts, ecofacts and features of the region; and b) understand cultural sensitivity around such resources while 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.	With respect to potential heritage resources, NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including training and communication protocols. NexGen notes that mechanisms exist through the Environmental Committee established through the Benefit Agreement signed between NexGen and the BNDN to conduct such activities. As part of licensing, NexGen will be developing a suite of training protocols for workers as part of the Rook I Training Program, including cultural sensitivity considerations. NexGen encourages collaborative opportunities for BNDN inputs into some of these protocols (as applicable) through the Implementation Committee committed to under the Benefit Agreement.
32.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter: 1.1	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. NexGen must provide a description of the presence of strandlines in the Project area and a description of how they were assessed.	There is no evidence of historic strandlines within the area of the Project. While no strandlines were identified, areas of relatively higher elevation (i.e., terraces) along the lakeshore were assessed using shovel probes and surface inspection. High potential areas such as terraces that would be disturbed as part of Project activities would be considered through the Chance Find Procedure developed for the Project.
33.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter: 4.1	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.	All areas of high heritage potential were assessed during the heritage survey. Areas that were not accessible by land were accessed via boat. Areas were assessed according to the Heritage Conservation Branch screening requirements and focused on moderate to high heritage potential areas and areas of previous disturbance. With respect to potential heritage resources, NexGen will develop a Chance Find Procedure as part of licensing, and will seek BNDN inputs into elements of this procedure, including communication protocols. NexGen notes that mechanisms exist through the Environmental Committee established through the Benefit Agreement signed between NexGen and the BNDN to conduct such activities.
34.	BNDN (October 12, 2022)	Annex IX: Heritage Resources Impact Assessment and Cover Letter: 3.2	In general, post-impact assessments are not considered an appropriate form of archaeological assessment by BNDN –archaeological assessments should always occur *prior* 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.	While the Heritage Conservation Branch does recognize that it would be ideal to conduct heritage assessments prior to any ground disturbance, the limitations in forested regions (e.g., accessibility, poor heritage site visibility) often make pre-impact assessment impractical. The Heritage Guidelines also indicate that in most situations, post-impact assessments and any follow-up mitigations that are required are adequate for obtaining heritage clearance. NexGen will continue to follow applicable regulatory guidelines and requirements.
35.	BNDN (October 12, 2022)	Section 18.3 Existing Conditions Section 18.4 Project Interactions, Mitigations and Benefit Enhancements Socio-Economic Baseline Report	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 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). 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 anticipation 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	NexGen notes the request to draft sections of the EIS on a Nation-by-Nation basis is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Project effects on the traditional economy were evaluated in Draft EIS Section 18.4.1 (Beneficial Pathways). The assessment concluded 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 benefit to the ability to participate in the traditional economy. NexGen further notes that specific engagement on the contextualization of economies (e.g., traditional economy, wage economy, government transfers) was held with primary Indigenous Groups, including the BNDN, in 2021 during development of the EIS, the results of which was used to inform the assessment. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.

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			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. 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.	
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 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. 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 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: ▪ Further commitments and clarity to the process for the development of employment policies and their contents must be included in the EIS 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	a) Project effects on the traditional economy were evaluated in Draft EIS Section 18.4.1 (Beneficial Pathways). The assessment concluded 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 benefit to the ability to participate in the traditional economy. NexGen further notes that specific engagement on the contextualization of economies (e.g., traditional economy, wage economy, government transfers) was held with primary Indigenous Groups, including the BNDN, in 2021 during development of the EIS, the results of which was used to inform the assessment. Draft EIS Section 16.5.1 (Application Case) assessed Project effects on Indigenous Land and Resource use through the evaluation of access to and area available for Indigenous land and resource use; availability of fish, plants, and wildlife for harvesting; and quality of the Indigenous land and resource use experience. The assessment determined that while the Project could affect Indigenous land and resource use activities for some individuals, these effects were determined to be not significant. b) The economy assessment considered several information sources, including Indigenous Knowledge provided by the BNDN regarding potential Project effects on the traditional economy; therefore, no changes to the EIS are required. However, NexGen acknowledges the BNDN concerns regarding potential effects to the traditional economy and recognizes the importance of conducting monitoring throughout the Project lifespan. NexGen proposes that the BNDN and NexGen collaborate on monitoring procedures through the mechanisms established in the Benefit Agreement, which would occur outside the EA process. With respect to the assessment conclusion of negligible effects associated with the planned fly-in/fly-out commuter system, NexGen presented the results of the EA to the local communities in June 2022 and the BNDN in December 2022; at that time, no concerns were raised. However, NexGen acknowledges the BNDN concerns regarding potential effects associated with the fly-in/fly-out commuter system and recognizes the importance of conducting monitoring throughout the Project lifespan. NexGen proposes that the BNDN and NexGen collaborate on monitoring procedures through the mechanisms established in the Benefit Agreement, which would occur outside the EA process. NexGen confirms that it will discuss specific employment policies with the Implementation Committee and socio-economic management plan development with the Environmental Committee (EC) as agreed to in the Benefit Agreement and subsequent discussions on managing BNDN issues and concerns. These discussions will inform the development of future operational policies and practices and are therefore not required for the final EIS. NexGen is looking at options for additional research around fly-in, fly-out operations and can discuss outcomes with BNDN, if developed, through the EC.
37.	BNDN (October 12, 2022)	Section 18.4 Project Interactions, Mitigations and Benefit Enhancements Section 19.4 Project Interactions and Mitigation	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" target is in fact realistic: ▪ "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, *a substantial portion of the Construction workforce is anticipated to be sourced from outside the LSA*" (18-73) ▪ "It is likely that the long-term target of 75% of the workforce being residents of the LSA *would not be achieved in the early stages of Project Operations*" (18-76) ▪ "The opportunity to employ residents of the LSA on the Project *may be reduced in the event the Fission Patterson Lake South Property proceeded* due to competition for workers and the limited number of qualified personnel from which to draw on" (18-30)	a) The aspirational employment and procurement goals outlined in the Draft EIS are voluntary goals by NexGen to outline a commitment to local priority area communities and Indigenous Peoples in Northern Saskatchewan. The feasibility of these goals will be an ongoing discussion with Indigenous Groups through their respective Implementation Committees to maximize opportunities in the local priority area, including workforce recruitment, training, and retention strategies. No further assessment is required in the Final EIS. b) This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN,

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			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). 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 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 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. 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.	including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. NexGen further notes that commitments (i.e., mitigation measures) regarding workforce recruitment and retention strategies are included in the EIS as outlined in part c) of this response. c) NexGen maintains that as the aspirational employment goals are beneficial and do not affect the assessment of effects on the economy VC (i.e., only adverse effects are considered in the economy VC assessment), further assessment is not required and no changes to the EIS are required. NexGen further notes that aspirations, mechanisms, and protocols for maximizing BNDN participation in the employment and business opportunities for the Project are established within the Benefit Agreement with the BNDN. In addition, mitigation measures such as using best efforts to provide qualified local residents with a first preference for employment and training opportunities, prioritizing the advancement of qualified local residents into increasingly senior positions, establishing a mentoring program to support long-term participation of LSA residents in the Project workforce, and working with local communities to develop culturally sensitive employment policies to address both recruitment and retention barriers (EIS Section 18.4 [Project Interactions and Mitigations], Table 18.4-1; EIS Section 19.4 [Project Interactions and Mitigations], Table 19.4-1; and EIS Appendix 23A [Summary of Project Environmental Design Features and Mitigation Measures], Table 23A-6) are designed to promote employment opportunities for local communities and work to achieve aspirational employment and procurement goals. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
38.	BNDN (October 12, 2022)	Section 18.4 Project Interactions, Mitigations and Benefit Enhancements Section 19.4 Project Interactions and Mitigations	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. 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: ▪ 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 ▪ 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	a) This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition, the aspirational employment and procurement goals outlined in the Draft EIS are voluntary goals by NexGen to outline a commitment to local priority area communities and Indigenous Peoples in Northern Saskatchewan. The feasibility of these goals will be an ongoing discussion with Indigenous Groups through their respective Implementation Committees to maximize opportunities in the local priority area, including workforce recruitment, training, and retention strategies. NexGen maintains that as the aspirational employment goals are beneficial and do not affect the assessment of effects on the economy VC (i.e., only adverse effects are considered in the economy VC assessment) or the community well-being VC (i.e., the aspirational procurement goal is related to a beneficial pathway), further assessment is not required and no changes to the EIS are required. NexGen further notes that aspirations, mechanisms, and protocols for maximizing BNDN participation in the employment and business opportunities for the Project are established within the Benefit Agreement with the BNDN. Mitigation measures such as providing advance notice of business opportunities, pre-qualifying each Indigenous business listed in the business registry and providing feedback to any Indigenous business that does not successfully pre-qualify, and developing and implementing a single source process and a preferred competitive bid process to facilitate the success of capable and suitably qualified Indigenous businesses (EIS Section 18.4 [Project Interactions and

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				Mitigations], Table 18.4-1; EIS Section 19.4 [Project Interactions and Mitigations], Table 19.4-1; and EIS Appendix 23A [Summary of Project Environmental Design Features and Mitigation Measures], Table 23A-6) are designed to promote business opportunities for local communities and work to achieve aspirational employment and procurement goals. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024. b) This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition, the aspirational employment and procurement goals outlined in the Draft EIS are voluntary goals by NexGen to outline a commitment to local priority area communities and Indigenous Peoples in Northern Saskatchewan. The feasibility of these goals will be an ongoing discussion with Indigenous Groups through their respective Implementation Committees to maximize opportunities in the local priority area, including workforce recruitment, training, and retention strategies. NexGen maintains that as the aspirational employment goals are beneficial and do not affect the assessment of effects on the economy VC (i.e., only adverse effects are considered in the economy VC assessment) or the community well-being VC (i.e., the aspirational procurement goal is related to a beneficial pathway), further assessment is not required and no changes to the EIS are required. NexGen further notes that aspirations, mechanisms, and protocols for maximizing BNDN participation in the employment and business opportunities for the Project are established within the Benefit Agreement with the BNDN. Mitigation measures such as providing advance notice of business opportunities, pre-qualifying each Indigenous business listed in the business registry and providing feedback to any Indigenous business that does not successfully pre-qualify, and developing and implementing a single source process and a preferred competitive bid process to facilitate the success of capable and suitably qualified Indigenous businesses (EIS Section 18.4 [Project Interactions and Mitigations], Table 18.4-1; EIS Section 19.4 [Project Interactions and Mitigations], Table 19.4-1; and EIS Appendix 23A [Summary of Project Environmental Design Features and Mitigation Measures], Table 23A-6) are designed to promote business opportunities for local communities and work to achieve aspirational employment and procurement goals. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024. c) This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference.

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				NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition, the aspirational employment and procurement goals outlined in the Draft EIS are voluntary goals by NexGen to outline a commitment to local priority area communities and Indigenous Peoples in Northern Saskatchewan. The feasibility of these goals will be an ongoing discussion with Indigenous Groups through their respective Implementation Committees to maximize opportunities in the local priority area, including workforce recruitment, training, and retention strategies. NexGen maintains that as the aspirational employment goals are beneficial and do not affect the assessment of effects on the economy VC (i.e., only adverse effects are considered in the economy VC assessment) or the community well-being VC (i.e., the aspirational procurement goal is related to a beneficial pathway), further assessment is not required and no changes to the EIS are required. NexGen further notes that aspirations, mechanisms, and protocols for maximizing BNDN participation in the employment opportunities for the Projects are established within the Benefit Agreement with the BNDN. Mitigation measures such as providing advance notice of business opportunities, pre-qualifying each Indigenous business listed in the business registry and providing feedback to any Indigenous business that does not successfully pre-qualify, and developing and implementing a single source process and a preferred competitive bid process to facilitate the success of capable and suitably qualified Indigenous businesses (EIS Section 18.4 [Project Interactions and Mitigations], Table 18.4-1; EIS Section 19.4 [Project Interactions and Mitigations], Table 19.4-1; and EIS Appendix 23A [Summary of Project Environmental Design Features and Mitigation Measures], Table 23A-6) are designed to promote business opportunities for local communities and work to achieve aspirational employment and procurement goals. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
39.	BNDN (October 12, 2022)	Section 18.7 Monitoring, Follow-Up and Adaptive Management	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. 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.	a) NexGen confirms that socio-economic monitoring will be developed for the Project, including through the establishment of a Human Resources Development Agreement, which is a provincial requirement of a Mineral Surface Lease Agreement. NexGen confirms that mechanisms exist within the Benefit Agreement signed between NexGen and the BNDN to discuss the development of socio-economic monitoring initiatives, if of interest to the BNDN. b) As this comment is primarily directed to the Crown, NexGen has no response; however, NexGen confirms that reporting on socio-economic parameters is a requirement of the Human Resource Development Agreement established as part of the provincial Mineral Surface Lease Agreement required for the Project.
40.	BNDN (October 12, 2022)	Section 19.2.2 Valued Components, Measurement Indicators, and Assessment Endpoints Socio-Economic Baseline Report	Section 19.2.2.2 sets out the measurement indicators used by NexGen in the assessment of effects on Community Well-Being, including: ▪ Societal and Cultural Well Being ▪ Economic Well-Being ▪ Educational Well-Being ▪ Neighborhood and Physical Environment Well-Being ▪ Health Well-Being 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.	The measurement indicators used in Draft EIS Section 19 considered feedback by Indigenous Groups, including the BNDN, through the Indigenous Knowledge and Traditional Land Use Studies and JWGs, and are consistent with the requirements for socio-economic assessments under the *Canadian Environmental Assessment Act, 2012*. Results of the EA were presented to local communities in June 2022 and the BNDN in December 2022; at those times, no concerns were raised. In consideration of the steps taken in the development of the assessment and the follow up conducted with the local communities and the BNDN, no changes to the EIS are required. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
41.	BNDN (October 12, 2022)	Section 19.4 Project	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	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members

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		Interactions and Mitigations	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.	of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. NexGen further notes that Indigenous and Local Knowledge received during pre-EIS submission engagement activities, including engagement with the BNDN, indicated that while participation in the wage economy can be a deterrent to spending longer periods on the land, this income can also contribute to success in traditional economy activities as wage income can be used to purchase supplies and equipment needed for traditional economy activities (EIS Section 19.4.3 [Secondary Pathways]). The BNDN also noted that payments from the Primrose Lake Air Weapons Test Range settlement resulted in local spend on equipment to better access traditional territories (EIS Section 19.4.3). Mitigation measures such as the implementation of the Benefit Agreement, supporting and promoting Indigenous community participation and employment in the traditional economy and working with local communities to develop culturally sensitive employment policies to facilitate involvement in resource harvesting activities (EIS Section 19.4 [Project Interactions and Mitigations], Table 19.4-1) are expected to minimize potential effects to resource harvesting opportunities. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
42.	BNDN (October 12, 2022)	Section 19.4 Project Interactions and Mitigations	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. NexGen must make formal commitments to supporting such investments for the benefit of the Project and the benefit of Indigenous communities in the LSA .	NexGen confirms that commitments have been made that could be used to support the establishment and improvement of social services and wellness programs within local Indigenous communities. As noted in Draft EIS Section 19.5.1 (Application case), within each Benefit Agreement, NexGen commits to providing both monetary contributions and human resources to support community-related initiatives in areas such as health and wellness, culture, and traditional values. The local community governments and Indigenous Groups with which NexGen has negotiated Benefit Agreements understand their community needs and would prioritize initiatives that reflect existing or emerging trends in their communities.
43.	BNDN (October 12, 2022)	General Comment	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: 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. 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 Project, the Crown must work with BNDN to ensure that the identified potential impacts are avoided, mitigated and/or accommodated. a) BNDN requests that CNSC and SMOE 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.	a) NexGen supports BNDN's continued discussions with the CNSC and Saskatchewan Ministry of Environment regarding potential effects to BNDN Aboriginal and Treaty Rights. With respect to potential impacts of the Project on the environment, NexGen confirms that these have been fulsomely and adequately assessed through the EA conducted, including the identification of avoidance and mitigation measures to be implemented, as appropriate (EIS Appendix 23A (Summary of Project Environmental Design Features and Mitigation Measures], Table 23A-1 to Table 23A-7). Examples of these mitigation measures include segregating potentially acid generating material from non-potentially acid generating material and storing them separately, implementing source control and installing a liner for the potentially acid generating waste rock storage area, installing an engineered cover system on potentially acid generating material and non-potentially acid generating material during reclamation, and containing and diverting runoff and seepage from potentially acid generating waste rock, special waste rock, and ore to the effluent treatment plant. NexGen notes that the assumptions, interpretations, conclusions, and proposed mitigation measures as documented in the EIS have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024. b) Through discussions held through the Environmental Committee, NexGen and the BNDN have worked through and resolved EA-related concerns with respect to groundwater and surface water. NexGen notes that a formal process for issues and concerns validation was conducted with the BNDN through the Environmental Committee, as documented in a letter being sent by the BNDN to the CNSC dated 29 October 2023 where the BNDN confirmed that

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			b) BNDN requests that NexGen work collaboratively with our Nation to resolve the concerns raised prior to submission of the Final EIS.	all issues and concerns had been discussed and resolved through, and mechanisms exist within the Environmental Committee to continue to discuss any issues and concerns if and as they were to arise. Specific issues and concerns discussed and resolved with the BNDN include BNDN-006 and BNDN-017 (EIS Appendix 2B), which are associated with cumulative effects from multiple industrial projects and changes to water quality in Patterson Lake and connected waterways, respectively. NexGen acknowledges that additional issues and concerns related to these or other topics may arise as the Project proceeds; in this regard, NexGen is committed to working with the BNDN through the Environmental Committee to make best efforts to address these potential future concerns.
44.	BNDN (October 12, 2022)	EIS Table 10.5-8 and EIS Table 8.5-3	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. 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 significant adverse impact to our Treaty and Aboriginal rights. 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. 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.	a) NexGen confirms that a multiple accounts analysis was completed to determine the preferred option for Project tailings storage (Draft EIS Section 4.5.6.2 [Tailings]). The multiple accounts analysis demonstrated that the underground storage of tailings represents the lowest risk option for contaminant migration from tailings. The development of an adaptive management plan to further mitigate effects associated with tailings storage is underway and will be provided during licensing. NexGen notes that conservative estimates were incorporated into the effects assessment to follow a precautionary approach where effects would not be underestimated. As described in Draft EIS Section 11 (Fish and Fish Habitat) and Draft EIS Section 15 (Human Health), the predicted hazard to ecological and human health, respectively, is low. Project monitoring and the implementation of adaptive management measures are anticipated to produce reduced effects compared to the predictions within the Draft EIS. No further assessment of alternatives is required, though discussions regarding adaptive management and monitoring will continue with BNDN through the mechanisms provided within the Benefit Agreement. b) NexGen and the BNDN have negotiated a Benefit Agreement as part of the accommodation of BNDN Aboriginal and Treaty Rights. Additional mitigation measures to address potential effects can be developed, if required, through the mechanisms provided within the Benefit Agreement. NexGen supports further discussion between NexGen, the Crown, and the BNDN regarding potential effects to BNDN Aboriginal and Treaty rights. c) NexGen confirms that the costs of ongoing monitoring will be addressed under the financial security requirements for the Decommissioning and Reclamation plans approved in the licensing and permitting processes for the Project. The funding would be periodically reviewed and updated based on ongoing closure and land use planning. d) NexGen notes that surface water quality monitoring programs will need to incorporate several measures, including corporate and regulatory requirements; obtaining consent from the BNDN prior to implementation of these programs is neither practical nor warranted. However, the surface water monitoring program is part of the Environmental Protection Program, which has and will continue to be discussed with the BNDN through the Environmental Committee under the Benefit Agreement. NexGen notes that the independent Indigenous monitoring program represents another opportunity to address BNDN monitoring requests. e) NexGen notes that groundwater and surface water quality monitoring programs will need to incorporate several measures, including corporate and regulatory requirements; obtaining written consent from the BNDN prior to implementation of these programs is neither practical nor warranted. Therefore, NexGen does not support BNDN written consent as a Project approval condition. However, the surface water monitoring program is part of the Environmental Protection Program, which has and will continue to be discussed with the BNDN through the Environmental Committee under the Benefit Agreement. NexGen notes that the independent Indigenous monitoring program represents another opportunity to address BNDN monitoring requests.
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. 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. 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	a) NexGen confirms that baseline geochemical data are publicly available as part of the EIS and can be further discussed with the BNDN through the Environmental Committee, if desired. b) NexGen expects that the government has completed a thorough review of the technical documents. It should be noted that all technical documents have been prepared by professionals that have the appropriate level of education and experience and are subject to their professional associations' ongoing professional development requirements and ethical obligations to protect the public interest. In addition, all documents have been peer reviewed as part of the document quality control process for the EIS. c) NexGen does not support the requirement for BNDN explicit consent of monitoring and management programs – this is neither practical nor warranted. Provincial and federal agencies will require comprehensive monitoring and management programs through licensing and permitting that protect the environment. NexGen notes that the surface water monitoring program is part of the Environmental Protection Program, which has and will continue to be discussed with the BNDN through the Environmental Committee under the Benefit Agreement. NexGen also notes that the independent Indigenous monitoring program represents another opportunity to address BNDN monitoring requests.

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			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. 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 baseline data and the modeling results developed from the geochemical baseline data 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.	d) NexGen supports engagement between the BNDN, CNSC, and Saskatchewan Ministry of Environment regarding potential effects to BNDN Aboriginal and Treaty rights. e) NexGen notes that independent review boards are typically required for high-risk tailings storage facilities. The proposed waste rock storage areas (WRSAs) do not carry the same level of risk as dammed tailings facilities and NexGen does not agree that independent review board oversight is required. The WRSAs have been designed by professional engineers and would be built under the supervision of professional engineers to meet the required provincial and federal standards. Professional engineers must have the appropriate competence for the facilities they design and oversee and are subject to their professional associations' Code of Ethics. Under the Association of Professional Engineers and Geoscientists of Saskatchewan Code of Ethics (APEGS 2024), members shall, firstly, "hold paramount the safety, health and welfare of the public and the protection of the environment and promote health and safety within the workplace". NexGen further notes that the Project will also be subject to regulatory oversight from both provincial and federal regulatory agencies throughout its entire life cycle, which would include oversight of NexGen's management of waste rock. **References** APEGS (Association of Professional Engineers & Geoscientists of Saskatchewan). 2024. Code of Ethics. Available at https://www.apegs.ca/complaints-enforcement/code-of-ethics.
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 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. 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. 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.	a) NexGen believes that due to the low predicted emissions of nitrogen oxides (NOx), sulphur dioxide (SO_2), and sulphuric acid (H_2SO_4) associated with the proposed Project, acid deposition is unlikely to pose a risk to the environment, even from a cumulative effects perspective. The total hydrogen ion equivalent, including direct H_2SO_4 emissions, accounts for one-tenth of the criterion value in the Saskatchewan Air Quality Modelling Guideline (ENV 2012). The approach to acid deposition modelling (i.e., the decision to not model potential acid input [PAI]) in the air quality assessment (Draft EIS Section 7.2 [Air Quality]) was carried forward after consultation with the ENV; the feedback received from the ENV was in alignment with NexGen's proposed approach. Preliminary precipitation analysis indicates that rainfall at the Project site is not acidifying, supporting the hypothesis that "downwind effects" from the Athabasca oil sands region are not contributing to a cumulative effect on acidification. While effects related to acid deposition of soils and waterbodies have been hypothesized by some studies, most of these studies show no discernible responses with regards to declines in pH or alkalinity in environmental media resulting from aerial emissions. In contrast, most studies show increases in pH and alkalinity (as summarized by Swanson 2019). Increases in pH and alkalinity have likely occurred due to the mitigating effect of base cation deposition from oil sands operations (Makar et al. 2018). Paleolimnological studies report little evidence of lake acidification based on sediment cores collected in northern Alberta and Saskatchewan, and in some cases, show recovery from pre-industrial acidification (Curtis et al. 2010; Laird et al. 2013). Some critical loads were predicted to be exceeded in the Athabasca oil sands region, extending into Saskatchewan (Makar et al. 2018). However, these predictions are now outdated since they were based on 2013 emissions levels from oil sands operations and they are not supported by measured data in the vicinity of the Project. **References** Curtis CJ, Flower R, Rose N, Shilland J, Simpson GL, Turner S, Yang H, Pla S. 2010. Palaeolimnological assessment of lake acidification and environmental change in the Athabasca Oil Sands Region, Alberta. J. Limnol. 69 (suppl. 1): 92-104. ENV (Saskatchewan Ministry of Environment). 2012. Saskatchewan Air Quality Modelling Guideline. Available at https://pubsaskdev.blob.core.windows.net/pubsask-prod/80061/80061-English.pdf. ENV. 2012. Saskatchewan Air Quality Modelling Guideline. Accessed August 2021. Available at https://pubsaskdev.blob.core.windows.net/pubsask-prod/80061/80061-English.pdf.

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			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 impacted by the Project from acidification by the project.	Laird KR, Bas B, Kingsbury M, Moos MT, Pla-Rabes S, Ahad JME, Wiltse B, Cumming BF. 2013. Paleolimnological assessment of limnological change in 10 lakes from northwest Saskatchewan downwind of the Athabasca oils sands based on analysis of siliceous algae and trace metals in sediment cores. Hydrobiologia 720:55-73. Makar PA, Akingunola A, Aherne J, Cole AS, Aklilu Y-A et al. 2018. Estimates of exceedances of critical loads for acidifying deposition in Alberta and Saskatchewan; Atmos. Chem. Phys., 18, 9897–9927. Swanson (Swanson Environmental Strategies). 2019. Oil Sands Monitoring Program: Integration Workshop Reports (Part 1 of 2). (OSM Technical Report Series No. 7.1). Retrieved from https://open.alberta.ca/publications/9781460144947. b) Reassessment of the water quality model is not required since atmospheric acidic inputs are not expected as discussed in the response to Public Comment 46a. c) Please see response to Public Comment 46a. d) Please see response to Public Comment 46a. e) Please see response to Public Comment 46a.
47.	BNDN (October 12, 2022)	EIS TSD XVII Waste Rock and Underground Wall Rock Source Term Predictions Section 3.2.1 (Method Overview)	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. 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. 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. 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 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. 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. 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.	a) NexGen confirms that the Minteq.v4 thermodynamic database file was used for the PHREEQC model because it is the most comprehensive mineral database. b) NexGen confirms that modelling was completed by a qualified professional and peer reviewed. The types and sequences of calculations were appropriate for an environmental assessment and the level of variability and uncertainty of future conditions. c) As discussed in response to Public Comment 46a, preliminary precipitation analysis indicates that rainfall at the Project site is not acidifying. Therefore, elevated acidity is not expected and further discussion in the Final EIS regarding sulphur dioxide emissions from Alberta oil sands projects is not required. d) NexGen notes that the costs of ongoing monitoring will be addressed under the financial security requirements for the Decommissioning and Reclamation plans approved in the licensing and permitting phase of the Project. The funding would be periodically reviewed and updated based on ongoing closure and land use planning.

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			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. BNDN must be collaboratively involved in determining the assumptions used to inform the closure bonding estimates	
48.	BNDN (October 12, 2022)	EIS Table 10.5-7	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. 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. 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 are occurring, and to better inform NexGen's assessment of potential impacts in the final EIS. 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.	a) As little information regarding the local lakes beyond information presented in the existing conditions for aquatic resources would be available, NexGen does not believe there would be value in conducting a literature review. Rather, NexGen recommends discussions with the BNDN regarding potentially supporting eutrophication investigations through the Environmental Committee and/or through the independent Indigenous monitoring program. b) NexGen agrees that discussions with the BNDN regarding algae blooms could be held through the Environmental Committee and/or through the Indigenous monitoring program. NexGen confirms that funding for environmental initiatives exists through the mechanisms within the Benefit Agreement signed between NexGen and the BNDN. c) Currently, existing baseline monitoring activities have not identified algae conditions that would allow NexGen to discuss potential algae blooms with BNDN members. However, should NexGen and the BNDN conduct environmental studies into potential local eutrophication that yields pertinent information, NexGen is open to holding discussions with community members regarding observations of regional lake conditions and continuing ongoing monitoring programs through the Environmental Committee. d) NexGen is confident that the existing conditions characterized in the EIS are appropriate; therefore, the EIS does not require revisions. However, should NexGen and the BNDN conduct environmental studies into potential local eutrophication that yields pertinent information, NexGen is open to holding discussions with community members regarding observations of regional lake conditions and continuing ongoing monitoring programs through the Environmental Committee.
49.	BNDN (October 12, 2022)	IS Section 5.4.3.3 (Underground Tailings Storage)	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. 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. 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.	a) NexGen confirms that the Project is not proposing to store tailings on surface at any time. Tailings placement in the underground tailings management facility (UGTMF) would be scheduled such that ore would not be processed and tailings not produced unless there is sufficient space available for tailings storage underground. b) NexGen confirms that the Project is not proposing to store tailings on surface at any time. Tailings placement in the UGTMF would be scheduled such that ore would not be processed and tailings not produced unless there is sufficient space available for tailings storage underground.

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			b) BNDN requests that NexGen clarify the maximum volume of tailings that could be stored on surface on an interim basis, and how it will be handled and stored to ensure that it does not negatively impact the environment, including during a temporary shutdown of the mine	
50.	BNDN (October 12, 2022)	EIS Section 5.4.3 (Tailings Management	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. 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.	a) NexGen notes that cemented paste tailings would be pumped directly into purpose-built chambers situated within competent basement rock. NexGen further notes that cemented paste backfill (CPB), which would consist of neutralized leached residue, water, and binder mixed in various ratios to meet appropriate geotechnical strength requirements (Draft EIS Section 5.4.3.1 [Paste Plant]), would not be backfilled into underground working areas until the areas are no longer required to be used. Therefore, there would be no increased risks to underground workers. However, NexGen acknowledges community members' concerns about safety with underground mining and stability. Should the BNDN request at a future date, NexGen will work with the Implementation Committee to organize community meetings and bring underground mining professionals and materials to discuss underground stability and safety concerns. Worker safety is of highest priority to NexGen. Safety of underground mines is also subject to provincial and CNSC permitting and licensing requirements and regulatory oversight. b) Should BNDN community members desire, NexGen will work with the Environmental Committee or the Implementation Committee, as appropriate, to organize community meetings to discuss water quality changes related to cemented paste backfill and the underground tailings management facility. NexGen notes that the results of the EA were presented both to the BNDN Environment Committee and summarized within information provided during Community Information Sessions held for the Project, including sessions at BNDN. NexGen notes that numerous studies have been completed on the stability of cemented binders used for backfilling uranium tailings. Experts indicate backfilling disposal of uranium tailings based on cement solidification can effectively avoid the environmental and safety problems of surface storage of uranium tailings (Wang et al. 2020). Adding cementitious material to uranium tailings provides better mechanical strength, chemical stability, and leaching resistance, thereby minimizing effects to groundwater. A three-phase investigation was completed by Thompson et al. (1986) on groundwater quality impacts of the underground disposal of tailings from acid-leach milling of uranium ores. Long-term effects, defined as those occurring after mining operations cease and the mine fills with water, are also predicted to be very small (Thomson et al. 1986). The geochemical characterization studies in Draft EIS TSD XV (Tailings Source Term Derivation) and Draft EIS TSD XVI (Tailings Characterization Report) provide the geochemical estimation of how the tailings would behave for the Project. **References** Thompson et al. 1986. Geochemical constraints on underground disposal of uranium mill tailings. Applied geochemistry, volume 1l, issue 3, May – June 1986). Wang et al. 2020. Preparation and Mechanical Properties of Cemented Uranium Tailing Backfill Based on Alkali-Activated Slag. Available at https://www.thefreelibrary.com/Preparation+and+Mechanical+Properties+of+Cemented+Uranium+Tailing...-a0627597306.
51.	BNDN (October 12, 2022)	EIS Section 8.2.1	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 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. 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. 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	a) NexGen notes that the results of the EA, including changes to groundwater on account of the Project, were presented both to the BNDN Environment Committee and summarized within information provided during Community Information Sessions held for the Project, including sessions at BNDN. NexGen confirms that groundwater and surface water effects can be further presented and discussed through workshops coordinated by the Environmental Committee. Should the Environmental Committee recommend, follow-up presentations will be made to the community. b) NexGen supports continued engagement between the BNDN and the Crown regarding potential effects to BNDN Aboriginal and Treaty Rights.

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			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	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 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. 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. 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	The Project protection of aquatic life and drinking water thresholds selected for the surface water quality assessment in the Draft EIS were based on the most stringent provincial, federal, or international guidelines, unless otherwise noted. The Project protection of aquatic life thresholds were based on the most stringent provincial chronic (i.e., long-term) water quality guidelines from either the Canadian Environmental Quality Guidelines (CCME 2023) or Saskatchewan's provincial objectives (WSA 2015, 2017), except for molybdenum. In the Draft EIS, NexGen used the provincial molybdenum guideline (31 mg/L; WSA 2017) preferentially over the more conservative federal guideline (0.073 mg/L; CCME 2023) as the Project threshold. The rationale for the use of the use of the Provincial guideline for molybdenum over the federal guideline is because the CCME guideline remains interim and because the provincial guideline has been derived from recent data, following the CCME (2007) protocol. More specifically, the Saskatchewan Water Security Agency developed the provincial molybdenum water quality objective based on the 5th percentile (HC5) of the species sensitivity distribution according to the CCME protocol; 18 data points for 12 different species were used, mainly 10% effect concentration (EC10) data. However, in discussions with Environment and Climate Change Canada on 9 June 2023, NexGen agreed to revise the molybdenum guideline from the provincial guideline to the British Columbia Ministry of Environment guideline (BC MOE 2021) in the revised EIS. The regulatory rationale for this change from the Saskatchewan Water Security Agency guideline to the British Columbia Ministry of Environment guideline is because the British Columbia Ministry of Environment guideline is more conservative that than the Saskatchewan Water Security Agency guideline and is derived from recent data following the CCME (2007) protocol. With respect to cadmium, the guideline used to set the Project protection of aquatic life threshold is the most conservative of the guidelines available (i.e., CCME, WSA); the Project threshold selected for cadmium is the provincial surface water quality guideline (WSA 2017). The guidelines used to set the Project drinking water thresholds for cadmium, selenium, lead-210, and radium-226 were sourced from the Health Canada drinking water guidelines (HC 2022) and not the World Health Organization drinking water guidelines (WHO 2022), unless Health Canada or other Canadian drinking water guidelines were not available for a constituent of potential concern. Specifically, for the identified constituents in the reviewer's comment: ▪ For the cadmium drinking water threshold, the Health Canada guideline published in 2020 (HC 2020) was used. ▪ For the selenium drinking water threshold, the Health Canada guideline published in 2014 (HC 2014) was used preferentially over the World Health Organization guideline, even though the World Health Organization guideline is lower (0.04 mg/L). The preference in using the Health Canada drinking water guideline is because the World Health Organization's selenium guideline is designated as provisional because of uncertainties inherent in the scientific database (WHO 2022). ▪ For lead-210 and radium-226, the Health Canada maximum acceptable concentrations were used as the Project drinking water thresholds. The Health Canada maximum acceptable concentrations for lead-210 and radium-226 are derived based on not exceeding a dose of 0.1 millisieverts per year (HC 2009); Health Canada states that at this low level, no further actions would be warranted to reduce radioactivity in drinking water. On this basis, even though lower guidelines were available for lead-210 and radium-226 (i.e., WHO 2022), the Health Canada drinking water maximum acceptable concentration guidelines were considered appropriate as Project thresholds. ▪ For polonium-210 and thorium-230, no Health Canada drinking water guidelines are available. For these radionuclides, the World Health Organization guidelines were used as the Project thresholds for drinking water. Table 10.2-5 of revised EIS Section 10.2.8.3.1 (Water Quality Thresholds) and Table 10.5-3 of revised EIS Section 10.5.1.1.3 (Trace Metals) have been updated to reflect the changes mentioned in this response related to the Project threshold for molybdenum. No other changes are proposed in the revised EIS to address this comment. **References** BC MOE (British Columbia Ministry of Environment). 2021. B.C. Ministry of Environment and Climate Change Strategy 2021. Molybdenum Water Quality Guidelines for the Protection of Freshwater Aquatic Life, Livestock, Wildlife and Irrigation. Water Quality Guideline Series, WQG-07. Prov. B.C., Victoria B.C.

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				CCME (Canadian Council of Ministers of the Environment). 2007. A protocol for the derivation of water quality guidelines for the protection of aquatic life 2007. In: Canadian environmental quality guidelines, 1999, Canadian Council of Ministers of the Environment, 1999, Winnipeg. CCME. 2023. Water Quality Guidelines Summary Table. https://ccme.ca/en/summary-table. HC (Health Canada). 2009. Guidelines for Canadian Drinking Water Quality Guideline Technical Document Radiological Parameters. HC. 2014. Guidelines for Canadian Drinking Water Quality: Guideline Technical Document — Selenium. Water and Air Quality Bureau, Healthy Environments and Consumer Safety Branch, Health Canada, Ottawa, Ontario. (Catalogue No H144-13/4-2013E-PDF). HC. 2020. Guidelines for Canadian Drinking Water Quality: Guideline Technical Document – Cadmium. HC. 2022. Guidelines for Canadian Drinking Water Quality—Summary Tables. Water and Air Quality Bureau, Healthy Environments and Consumer Safety Branch, Health Canada, Ottawa, Ontario. WSA (Saskatchewan Water Security Agency). 2015. Surface Water Quality Objectives, Interim Edition, EPB 356. Saskatchewan Environmental and Municipal Management Services Division, Water Security Agency. June 2015. WSA. 2017. Saskatchewan Water Quality Objective for the Protection of Aquatic Life – Molybdenum. Fact Sheet. Report No. WSA 514. WHO (World Health Organization). 2022. Guidelines for drinking-water quality: fourth edition incorporating the first and second addenda. World Health Organization, Geneva, Switzerland. Licence: CC BY-NC-SA 3.0 IGO.
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. 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. BNDN has a number of concerns with NexGen's proposed effluent treatment objectives, including: ▪ 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 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. 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. 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 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	a) NexGen notes that the requirements in REGDOC-2.9.2 (CNSC 2021) will be applied within the licensing activities for the Project. Therefore, BNDN consent regarding the final permitted effluent water quality objectives is neither warranted nor supported by NexGen. **References** CNSC (Canadian Nuclear Safety Commission). 2021. REGDOC-2.9.2, Environmental Protection, Controlling Releases to the Environment. DRAFT. March 2021. Available at https://www.nuclearsafety.gc.ca/eng/pdfs/regulatory-documents/regdoc2-9-2/REGDOC-2_9_2_Controlling_Releases_to_the_Environment.pdf. b) NexGen notes that the requirements in REGDOC-2.9.2 (CNSC 2021) will be applied within the licensing activities for the Project. Therefore, additional studies are neither warranted nor supported by NexGen. **References** CNSC (Canadian Nuclear Safety Commission). 2021. REGDOC-2.9.2, Environmental Protection, Controlling Releases to the Environment. DRAFT. March 2021. Available at https://www.nuclearsafety.gc.ca/eng/pdfs/regulatory-documents/regdoc2-9-2/REGDOC-2_9_2_Controlling_Releases_to_the_Environment.pdf. c) The Project effluent quality objectives will be set during licensing and permitting to be protective of humans and the environment. Any required revisions will be determined based on monitoring results and will be managed through adaptive management. Provincial and federal regulators also have the authority to revise conditions if needed based on annually submitted monitoring results. d) NexGen notes that the CNSC will require both licence renewals at set periods and updates to the environmental risk assessment every 5 years. In consideration of these factors, NexGen does not support a separate effluent discharge permit expiry scheduled for every 5 years.

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			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	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. 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. 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 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.	As presented in the Draft EIS, while certain adverse effects to Patterson Lake as a result of the Project are anticipated, none of these effects are predicted to result in a significant adverse effect to any valued component; the Health of Patterson Lake will remain protected. a) NexGen notes that a trust fund is not required. Closure and post-closure residual risks are managed with the closure financial security required by provincial and federal agencies. The closure financial security is set by the provincial government during permitting and licensing and is reviewed on a regular basis and updated, as needed. It is expected that sufficient financial security would be held following transfer of the Project site back to Institutional Control to make sure any long-term risks would be addressed. b) NexGen does not support the requirement for written BNDN consent prior to the release from the Licence to Operate from the CNSC. c) While NexGen supports multi-party engagement on key items, it is acknowledged that any approvals issued by the Crown must adhere to established regulatory processes. For this reason, NexGen does not support the BNDN condition request.
55.	BNDN (October 12, 2022)	EIS TSD XVIII Section 5.1.1	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. 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.	While NexGen supports multi-party engagement on key items, it is acknowledged that any approvals issued by the Crown must adhere to established regulatory processes. For this reason, NexGen does not support the BNDN condition request.
56.	BNDN (October 12, 2022)	EIS, Section 11.2.2.1 Valued Components	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 assessed for Fish and Fish Habitat. Troutperch or spot tail shiner would both be good candidates for this assessment. 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. Table 11.2-1 must also be updated with the inclusion of small-bodied fish species and the rational for their exclusion for use as VCs.	NexGen respectfully submits that additional assessment of a small-bodied forage fish species as a valued component in the fish and fish habitat assessment (Draft EIS Section 11 [Fish and Fish Habitat]) is not warranted. Lake whitefish was chosen as a receptor in the environmental risk assessment to represent a fish species that was exposed to both sediment and water. A small-bodied fish was not assessed separately in the environmental risk assessment as the results of modelling of a small-bodied forage fish would be similar to that of lake whitefish. In the environmental risk assessment, lake whitefish was conservatively assumed to reside 100% of the time in the same location. This assumption of limited movement by lake whitefish is similar to how a small-bodied fish would be assessed. As stated in Section 6.1.1.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the selection of lake whitefish as a receptor in the environmental risk assessment and valued component in the fish and fish habitat assessment (Draft EIS Section 11) was made due to its importance to Indigenous Groups as a food source and to its widespread abundance. Small-bodied fish species that occur in the aquatic local and regional study areas (e.g., slimy sculpin, spottail shiner, lake chub, ninespine stickleback, trout perch) did not have the same importance to Indigenous Groups as lake whitefish. Small-bodied species were not mentioned or were mentioned infrequently by communities during engagement compared to species retained as valued components or environmental risk assessment receptors. Additionally, the functional role of many small-bodied species possess overlap with lake whitefish. For example, all small-bodied species are also forage species. NexGen will consider including a small-bodied fish species as a sentinel species for environmental monitoring should an Environmental Effects Monitoring fish population study be triggered under the Metal and Diamond Mining Effluent

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				Regulations. NexGen acknowledges that small-bodied fish are often preferred for this work as they can be abundant and resilient to harvesting pressure, and population performance typically reflects local conditions due to their limited mobility and small home ranges. These small-bodied species are also relatively short lived and show changes in survival, energy storage, and energy use earlier than longer lived large-bodied species (Environment Canada 2012). The identification of sentinel species for future monitoring will be confirmed during development of the first Environmental Effects Monitoring study design. No changes are required in the Final EIS to address this comment. **References** Environment Canada. 2012. Metal Mining Technical Guidance for Environmental Effects Monitoring. Government of Canada, Environment Canada National EEM Office, Science Policy and Environmental Quality Branch, Ottawa, Ontario. Metal and Diamond Mining Effluent Regulations. SOR/2002-222 under the *Fisheries Act*. Last amended 18 June 2020. Available at https://laws-lois.justice.gc.ca/eng/Regulations/SOR-2002-222/index.html.
57.	BNDN (October 12, 2022)	Fish and Fish Habitat: Figure 11.2-3	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. BNDN requests that baseline surveys be completed on the section of Clearwater River between Broach Lake and Forest Lake to evaluate ▪ Benthic invertebrates ▪ Sediment quality and characteristics ▪ Water quality ▪ Hydrological characteristics ▪ Fish habitat ▪ Fish community ▪ River morphology ▪ Barriers to fish passage	NexGen confirms that the baseline studies focused on areas potentially affected by the proposed Project, including downstream waterbodies. Water quality, sediment quality, benthic invertebrates, and phytoplankton were the focus indicators for monitoring farther away from the Project. NexGen maintains that no further baseline studies are required for the EA as sufficient baseline has already been collected. However, NexGen notes that, as part of NexGen's broader, proactive approach to Project engagement and planning (i.e., EA monitoring and follow-up activities), NexGen is conducting a baseline environmental effects monitoring program. Completing an environmental effects monitoring program during the baseline period enables a before and after control impact design to be used for the Project moving forward. NexGen supports discussion with the BNDN through the Environmental Committee regarding potential sampling activities to be completed through the environmental effects monitoring program and the independent Indigenous monitoring program.
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 most important areas for this type of sampling because these are the areas where effluent discharge is proposed. 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.	NexGen confirms that additional water quality sampling near the proposed effluent discharge location was initiated in 2021 and has been ongoing since that time.
59.	BNDN (October 12, 2022)	EIS, Section 11.4 Project Interactions and Mitigations	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). 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) 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	NexGen confirms that baseline information regarding overwintering habitat and dissolved oxygen levels is provided in Draft EIS Annex V.2 (Overwintering Fish Habitat Report) and changes to dissolved oxygen levels as a result of the Project were evaluated in Draft EIS Section 11.4.1 (No Pathways). The evaluation concluded that changes in dissolved oxygen conditions are predicted to remain within the natural range of variability for Patterson Lake and are not expected to be measurable in the receiving environment. Therefore, fish overwintering habitat would not be affected as a result of changes to dissolved oxygen levels. The estimated concentrations of COPCs do not indicate a potential risk to dissolved oxygen levels during winter. NexGen notes that the estimated concentrations of constituents of potential concern to be generated by the Project are presented in Draft EIS Section 10.5 (Residual Effects Analysis) do not indicate a potential risk to dissolved oxygen levels in the lake and did not warrant modelling.

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			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	
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 overwintering habitat as a limiting factor for species within this area, this is an important analysis that should be included in the assessment. 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.	NexGen confirms that baseline information regarding overwintering habitat is provided in Draft EIS Annex V.2 (Overwintering Fish Habitat Report) and changes to overwintering as a result of the Project were evaluated in Draft EIS Section 11.4.1 (No Pathways). The evaluation concluded that changes to fish overwintering habitat would not be expected as a result of the Project.
61.	BNDN (October 12, 2022)	EIS Section 11.5.3.1 Summary of Predicted Changes to Surface Water Quality	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. 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 sufficient funding in place to allow collection and treatment of water or other alternative mitigation measures. 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.	a) NexGen notes that predictions within the EIS are based on conservative assumptions, which are intended, in part, to identify potential areas of concern for further investigation as additional information becomes available during the Project lifespan. With this in mind, NexGen is currently developing an adaptive management plan to manage the specific issue of copper loading from the potentially acid generating waste rock storage area to Patterson Lake in the far future. Adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the potentially acid generating and non-potentially acid generating waste rock storage areas during Operations and incorporating adaptive management into mitigation planning would be expected to result in reduced mass loading compared to what was conservatively predicted in the far-future surface water quality assessment (Draft EIS Section 23.5.3 [Adaptive Management]). Closure and post-closure residual risks would be managed with the closure financial security required by provincial and federal agencies. The closure financial security is set by the provincial government during permitting and licensing and reviewed on a regular basis and updated, as needed. NexGen further notes that, following the Active Closure Stage of mine closure, transitional monitoring will be required to verify that performance criteria have been met. NexGen would be required to demonstrate achievement of performance criteria prior to being released from federal licensing and in order to transfer the land back to provincial management through the Institutional Control Program. It is expected that sufficient financial security would be held following transfer of the Project site back to Institutional Control to make sure any long-term risks would be addressed. b) NexGen notes that the environmental risk assessment (Draft EIS TSD XXI) and the human health risk assessment (Draft EIS Section 15) did not identify a hazard to fish tissue contamination in the far future. The water quality would be the trigger indicator that would identify if further sampling of fish tissue would be required at that time. Closure and post-closure residual risks would be managed with the closure financial security required by provincial and federal agencies. The closure financial security is set by the provincial government during permitting and licensing and reviewed on a regular basis and updated as needed. NexGen further notes that, following the active closure stage of mine closure, transitional monitoring will be required to verify that performance criteria have been met. NexGen would be required to demonstrate achievement of performance criteria prior to being released from federal licensing and in order to transfer the land back to provincial management through the Institutional Control Program. It is expected that sufficient financial security would be held following transfer of the Project site back to Institutional Control to make sure any long-term risks would be addressed.
62.	BNDN (October 12, 2022)	EIS Section 11.5.2.2 Summary of Ecological Risk Assessment Results	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. 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.	As indicated in Draft EIS Section 11.5.2.2 (Summary of Ecological Risk Assessment Results), although cobalt concentrations were predicted to exceed surface water quality guidelines, estimated hazard quotients for cobalt were less than 1 in all assessment cases and for all aquatic receptors, indicating that health effects from exposure to cobalt are not expected to occur. Therefore, cobalt was not considered further and no changes are required in the Final EIS.
63.	BNDN (October 12, 2022)	EIS, Table 10.2-5	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 "*appropriate release limits in accordance with provincial*	NexGen confirms that the predicted concentrations of contaminants of potential concern for the effluent treatment plant and sewage treatment plan discharges are presented in Appendix G and Appendix E, respectively, of Draft EIS TSD XVIII (Site-Wide Water Balance and Water Quality Modelling Report).

Environmental Impact Statement – Consolidated Comments from Indigenous Nations and Communities and the Public on the NexGen Rook I Project Draft EIS (For NexGen Response)

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			standards and license/permit conditions" (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. BNDN requests that the Proponent commit to meeting the proposed water quality thresholds throughout all phases of the Project. Furthermore, BNDN 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).	NexGen notes that the end-of-pipe discharge limits will be set during the licensing and permitting processes. These limits will be set in a manner that protects the water quality and aquatic life in Patterson Lake, and NexGen will be required to adhere to these limits as part of provincial and federal approvals.
64.	BNDN (October 12, 2022)	EIS, Section 11.4.2 Secondary Pathways: F-14 Nutrient changes from Project activities	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). 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. 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.	NexGen notes that nutrients in effluent discharge and receiving water quality will likely be required to be monitored through licence and permit conditions. Details of the monitoring program are still to be developed and will incorporate licence and permit conditions. NexGen further notes that mechanisms exist under the Benefit Agreement with the BNDN to discuss monitoring results, and monitoring program parameters can be discussed with BNDN through the Environmental Committee, if desired.
65.	BNDN (October 12, 2022)	EIS, Section 11.4	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. 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 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. 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.	NexGen notes that upgrades to the existing bridge on the access road at the crossing of the Clearwater River have already been completed as part of exploration activities and a bridge replacement is not anticipated at this time. However, should a bridge replacement be required in the future, NexGen would proceed through the required regulatory processes for approval. NexGen also confirms that, should a future bridge replacement be required, plans would be discussed with the BNDN through the Environmental Committee to determine areas of interest for discussion.
66.	BNDN (October 12, 2022)	EIS, Section 11.4.2, Figure 11.4-1	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. 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 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 that this approach is preferred but rather that it must be considered as an alternative. 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,	a) NexGen will consider burying effluent pipelines and other design methods for preventing potential freezing and/or spills, including heat tracing, as engineering progresses. The designs would be based on the consequence of a spill, gradient of the pipeline, and whether the pipes would be pumped or conveyed by gravity. b) NexGen notes that to manage Project design uncertainty and facilitate a conservative assessment of Project effects, treated effluent and sewage pipeline routes and discharge locations were assumed to be in separate locations. However, NexGen acknowledges that potential environmental and economic benefits may be realized if the treated effluent and treated sewage discharges could be combined into a single release point. As a part of advancement of Project design, NexGen will evaluate options for combining treated effluent streams from the sewage treatment plant and effluent treatment plant, which would reduce Project effects.

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			and near shore. The route could then diverge in the lake and the proposed in-lake discharge locations can be maintained.	
67.	BNDN (October 12, 2022)	EIS Section 14 Pg 14-53 to 55	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. 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. 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.	NexGen confirms that provincial regulatory guidance was followed for the effects assessment presented in the EIS by using a 500 m buffer for direct habitat loss in the SK2 West. Although the BNDN suggests that there may be disturbance in a larger zone of influence, caribou response varies by population, terrain, vegetation types, and intensity and frequency of disturbance. As can be seen in Figure 14.3-1 of Draft EIS Section 14.3.1.1 (Habitat Availability), the majority of area within 5km of the maximum disturbance area is categorized as nil habitat (i.e., anthropogenic disturbance, natural disturbance, or waterbody). Using the larger buffer size would not change the conclusion in the assessment. The assessment used the 500 m buffer that is consistent with how the residual effects and required offsets are managed and regulated by the province. No further assessment in the EIS is required.
68.	BNDN (October 12, 2022)	EIS Figure 14.2-4 Section 14.5	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. 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 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. 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.	NexGen clarifies that the quote referenced by the reviewer has been represented incorrectly. Draft EIS Section 14.5.1.3.2 (Significance Determination states “[i]n the RFD Case, the Project and the Fission Patterson Lake South Property would combine to reduce the amount of suitable caribou habitat in SK2 West by less than 0.1%". This calculation is based on 92.4 ha of lost habitat out of 322,419.7 ha within the SK2 West. Draft EIS Section 14.5.1 (Woodland Caribou) concludes that the effects on caribou habitat are significant in the Application and RFD cases before applying a Caribou Mitigation and Offsetting Plan. NexGen confirms that it has engaged with Indigenous Groups, including the BNDN, on the development the caribou mitigation and offset plan and will continue to engage with regulators and Indigenous Groups through development of the plan. No changes to the EIS are required. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
69.	BNDN (October 12, 2022)	Wildlife Baseline 1 Section 13.3	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. 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.	The Draft EIS presents both the Boreal Plain and the Boreal Shield ecozones, showing the boundaries between these two ecozones on multiple figures. The opinions presented within the Draft EIS are based on qualified professional observations in the field. While NexGen agrees that the Boreal Plain and Boreal Shield ecozones are distinct, field studies indicated that the boundary between the two is not as distinct, as there are areas in the Boreal Plain near the boundary that are more representative of the Boreal Shield ecozone. No changes to the EIS are required.
70.	BNDN (October 12, 2022)	EIS Section 14.5	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. 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.	As noted in Table 23B-1 of Draft EIS Appendix 23B, two monitoring objectives include evaluating the effectiveness of the environmental protection measures and to identify unanticipated effects. Monitoring ungulate and predator densities may assist with these objectives; however, NexGen notes that challenges exist in defining suitable monitoring methods as the provincial government has restrictions on aerial surveys. Details of the monitoring programs will be developed during future permitting and licensing activities, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee.

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71.	BNDN (October 12, 2022)	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 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. 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.	NexGen confirms that details of the monitoring programs will be developed during future permitting and licensing activities, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. NexGen confirms that it has engaged with Indigenous Groups, including the BNDN, on the development the Caribou Mitigation and Offsetting Plan and will continue to engage with regulators and Indigenous Groups through development of the plan. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
72.	BNDN (October 12, 2022)	EIS Table 14.4-1 & W-09	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.	NexGen confirms that details of the monitoring programs will be developed during permitting and licensing processes, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. Long-term monitoring of public access can be discussed through these mechanisms, if of interest to the BNDN.
73.	BNDN (October 12, 2022)	EIS Table 14.4-1 W-03	We acknowledge the preliminary list of potential sensory disturbance and effective habitat loss mitigations escribed 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. 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. 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.	NexGen would follow applicable regulations with respect to the protection of wildlife from sensory disturbances. Details of the monitoring programs will be developed during permitting and licensing processes, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. NexGen confirms that it has engaged with Indigenous Groups, including the BNDN, on the development the Caribou Mitigation and Offsetting Plan and will continue to engage with regulators and Indigenous Groups through development of the plan. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
74.	BNDN (October 12, 2022)	EIS Table 14.4-1	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 about whether these proposed mitigations will meaningfully diminish impacts without BNDN’s ongoing and direct involvement in the refinement of all mitigation planning. 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: 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;	NexGen would follow applicable regulations with respect to the protection of wildlife. Details of the monitoring programs will be developed during permitting and licensing activities, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. NexGen confirms that it has engaged with Indigenous Groups, including the BNDN, on the development the Caribou Mitigation and Offsetting Plan and will continue to engage with regulators and Indigenous Groups through development of the plan. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.

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			vi. annual waterfowl density monitoring; vii. SAR bird targeted annual monitoring	
75.	BNDN (October 12, 2022)	TSD, pg. iv.	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. 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.	NexGen would follow applicable regulations with respect to the protection of wildlife. Details of the monitoring programs will be developed during permitting and licensing activities, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee.. NexGen notes that the BNDN independent Indigenous monitor would be actively involved monitoring Project-related effects.
76.	BNDN (October 12, 2022)	TSD Section 4.2.1, page 4.3	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 (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.	NexGen confirms that groundwater monitoring would be performed to confirm that groundwater flow rates and quality are aligned with EA predictions. Reporting of this and other monitoring would be required as part of provincial and federal reporting requirements. In addition, the environmental risk assessment would be updated every 5 years throughout the Project lifespan as a condition of permitting and licensing to verify effects predictions.
77.	BNDN (October 12, 2022)	TSD Section 4.2.3.1, page 4.4	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. 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?	In the Draft EIS, NexGen used the provincial molybdenum guideline (i.e., 31 mg/L; WSA 2017) preferentially over the more conservative federal guideline (i.e., 0.073 mg/L; CCME 2023) because the CCME guideline remains interim and because the provincial guideline has been derived from recent data, following the CCME (2007) protocol. NexGen's preference for the provincial guideline for molybdenum was based on uncertainty in the CCME guideline, primarily due to the inability of follow-up studies to reproduce the findings of the source on which the CCME guideline was based. Specifically, the CCME guideline was based on multiplying the lowest chronic toxicity value, the 28-day 50% lethal effect concentration (LC50) of 0.73 mg/L for rainbow trout (Oncorhynchus mykiss), by a safety factor of 0.1. The original study by Birge (1978) has not been reproducible, either using the original methods or using standard methods (Davies et al. 2005). However, based on feedback from Environment and Climate Change Canada on 9 June 2023, NexGen will change the Project threshold from the province-specific guideline for molybdenum (i.e., 31 mg/L; WSA 2017) to the recently updated British Columbia Ministry of Environment guideline of 7.6 mg/L (BC MOE 2021). The regulatory rationale for this change from the Saskatchewan Water Security Agency guideline to the British Columbia Ministry of Environment guideline is because the British Columbia Ministry of Environment guideline is more conservative than the Saskatchewan Water Security Agency guideline and is derived from recent data following the CCME (2007) protocol. **References** BC MOE (British Columbia Ministry of the Environment). 2021. B.C. Ministry of Environment and Climate Change Strategy 2021. Molybdenum Water Quality Guidelines for the Protection of Freshwater Aquatic Life, Livestock, Wildlife and Irrigation. Water Quality Guideline Series, WQG-07. Prov. B.C., Victoria B.C. Birge WJ. 1978. Aquatic Toxicology of Trace Elements of Coal and Fly Ash. Special Collections, USDA National Agricultural Library. Accessed February 2023. Available at https://www.nal.usda.gov/exhibits/speccoll/items/show/5224. CCME (Canadian Council of Ministers of the Environment). 2007. A protocol for the derivation of water quality guidelines for the protection of aquatic life. CCME. 2023. Water Quality Guidelines Summary Table. Available at https://ccme.ca/en/summary-table. Davies TD, Pickard J, Hall JK. 2005. Acute molybdenum toxicity to rainbow trout and other fish. Journal of Environmental Engineering & Science 4: 481-485. WSA (Saskatchewan Water Security Agency). 2017. Saskatchewan Water Quality Objective for the Protection of Aquatic Life – Molybdenum. Fact Sheet. Report No. WSA 514.
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	NexGen is open to discussions with the BNDN through the Environmental Committee regarding potential lake eutrophication investigations. If the Environmental committee recommends, these investigations could include the involvement of the independent Indigenous Monitor.

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			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	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. 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.	NexGen confirms that site runoff was identified as a potential primary pathway in Draft EIS Section 15.4.3 (Primary Pathways) and was advanced for assessment. The mitigations to minimize effects from site runoff include collecting site runoff, monitoring site runoff quality, and treating if necessary. These mitigations essentially eliminate this pathway for release of contaminants of concern to the environment; therefore, there would not be significant adverse effects to ecological or human health. These predictions would be verified through monitoring during Operations. In addition, the environmental risk assessment would be updated every 5 years throughout the Project lifespan as a condition of permitting and licensing to verify effects predictions. No changes to the EIS are required.
80.	BNDN (October 12, 2022)	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 *marginally* below the guideline. 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 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	NexGen considers the potential for risk from the projected sulphate concentrations and existing and projected mercury concentrations from the Project to be low. This is because mercury methylation primarily occurs in sediments and is an anaerobic process (i.e., a microbial process that occurs within the lakebed sediment under anoxic/hypoxic conditions); therefore, sulphate enrichment in the lakes alone while the lakes remain oxygenated is not expected to cause discernable increases in mercury methylation rates. Distinct oxyclines do exist in the deep lakes within the local study area, such as Patterson Lake, where unsaturated dissolved oxygen levels exist; however, these are limited to the lower portions of the water column in winter (and infrequently exist in summer) (Draft EIS Annex V.I [Aquatic Environment Baseline Report]). Therefore, there would only be brief periods in winter and summer in some lakes that the water column overlying regions of the lakebed experiences lower dissolved oxygen conditions. NexGen also acknowledges that there would be a slight increase in phosphorus to Patterson Lake during Operations under the Application Case as a result of the treated effluent discharge, but that Patterson Lake is expected to remain oligotrophic. As a result, a measurable increase in oxygen demand during Operations that would result in changes to the seasonal oxic regime of Patterson Lake or the downstream lakes that would further result in an adverse increase in mercury methylation is not anticipated. NexGen would undertake aquatic monitoring (including effluent and water quality, sediment quality, and aquatic biota, which will include benthic invertebrates and fish) during the life of the Project to aid in evaluating potential increases in mercury. Based on these data, a study investigating fish tissue mercury would be conducted if applicable Metal and Diamond Mining Effluent Regulations triggers are met.
81.	BNDN (October 12, 2022)	TSD Figure 5-5 and Figure 15.2-5, p. 15-35	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. The CSM must be revised to include all applicable exposure pathways in the HHRA.	NexGen confirms that dermal contact was one of the potential exposure pathways assessed in the human health risk assessment (Draft EIS TSD XXI [Environmental Risk Assessment], Section 5.1.3.1). NexGen also confirms that, as presented in Section 4.2.1 of Draft EIS TSD XXI, groundwater was one of the aqueous sources considered in the risk assessment. No changes to the EIS are required.
82.	BNDN (October 12, 2022)	TSD, Section 5.2.3.1, p. 5.22	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. A rationale for using the less conservative value is required. How will this impact the conclusions of the HHRA?	As presented in Section 5.2.3.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the N288.1-20 human diet rate of 706 kg/year was used because it was based on more recent data and is expected to be more accurate (i.e., the reference to 808 kg/yr is based on data from the 1970s). As discussed in Section 5.1.3.2.2 of Draft EIS TSD XXI, the approach to selecting the Traditional Foods diet for the human health risk assessment was discussed on multiple occasions with local Indigenous Groups and government representatives. While using the more recent consumption rate would be slightly less conservative than using the consumption rate from the 1970s, there are other levels of conservativism (e.g., air quality and water quality predictions) incorporated into modelling that make the overall assessment conservative. Overall, NexGen believes that the conclusions of the human health risk assessment are conservative. NexGen notes that follow-up monitoring would be used to verify the predictions. In addition, the environmental risk assessment would be updated every 5 years throughout the life of the Project as a condition of permitting and licensing.
83.	BNDN (October 12, 2022)	TSD, Table 5-6	It is stated that Northern pike was used as a Representative Ecological Receptor for predator fish species. 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?	NexGen notes that northern pike and walleye are similar receptors. Northern pike was chosen to avoid duplication and because known available data sources were available for modelling. Walleye would be expected to have similar results as Northern Pike (i.e., similar conservatism).

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84.	BNDN (October 12, 2022)	TSD Tables 5-7, 5-9 and 5-10	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. Exposures and associated health risks should be quantified for all complete human health exposure pathways, including sediment.	NexGen confirms that discussions in the ERA focused on the highest risks. As discussed in Section 5.2.4.1 of Draft EIS TSD XXI (Environmental Risk Assessment), exposures are based on how people use the area and their potential for exposure. Incidental ingestion and dermal contact with sediment are considered minor pathways of exposure and have small contributions to total dose. However, for completeness, these pathways will be quantitatively assessed, and associated tables in TSD XXI will be updated to include dose results for the incidental ingestion and dermal contact with sediment pathways.
85.	BNDN (October 12, 2022)	TSD – Section 5.4.1.1.1, page 5.81	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. 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.	As noted in Section 5.4.1.1.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the molybdenum hazard quotient slightly exceeds 0.2 for the terrestrial animal ingestion pathway under existing conditions. The addition of the Project does not change the molybdenum hazard quotient for the subsistence harvester for terrestrial animal ingestion as the Project hazard quotient is orders of magnitude lower than under existing conditions. The total hazard quotient for molybdenum would be below 1, indicating no risk to the subsistence harvester from exposure to molybdenum. As noted by the reviewer, the uranium hazard quotient was predicted to be below the assessment threshold. No further discussion in the Final EIS regarding molybdenum or uranium is required. NexGen also notes that further discussion of risks associated with the concentrations of molybdenum and uranium in Traditional Foods under existing conditions can occur with the BNDN outside the EA process through the mechanisms established in the Benefit Agreement with the BNDN, including through the Environmental Committee. Follow-up monitoring will be used to verify the predictions. In addition, the environmental risk assessment would be updated every 5 years throughout the life of the Project as a condition of permitting and licensing.
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).	NexGen confirms that the total hazard quotient was compared to a benchmark of 1. As described in Section 5.4.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the benchmark value for hazard quotient is 1 for all pathways including background. The hazard quotient value 0.2 was used for comparison for individual pathways (e.g., water, air, soil).
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.	As noted in Section 5.4.1.1.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the molybdenum hazard quotient slightly exceeds 0.2 for the terrestrial animal ingestion pathway under existing conditions. The addition of the Project does not change the molybdenum hazard quotient for the subsistence harvester for terrestrial animal ingestion as the Project hazard quotient is orders of magnitude lower than under existing conditions. The total hazard quotient for molybdenum would be below 1, indicating no risk to the subsistence harvester from exposure to molybdenum. NexGen notes that Draft EIS Section 15.5.1.1 (Non-Carcinogens) focused on exceedances of the hazard quotient resulting from releases from the Project. As the Project contributions are predicted to result in a hazard quotients of less that 0.2, no discussion is required.
88.	BNDN (October 12, 2022)	TSD – Section 5.4.1.1.2	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. 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? 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. Additional rationale for why the assumed ingestion rate for moose and moose organs is considered conservative is also warranted. How was this determined?	NexGen notes that context regarding the Health Canada cancer risk levels is provided in Draft EIS Section 15.5.1.2 (Carcinogens). NexGen further notes that the 1 in 100,000 incremental cancer risk represents a negligible risk rather than an acceptability benchmark. As presented in Table 15.5-2 of Draft EIS Section 15.5.1.2, the predicted cancer risk for the subsistence harvester at the Patterson Lake South Arm during the Project lifespan for both the Application Case and upper bound sensitivity scenario would be within the 1 in 10,000, or very low risk level (i.e., equivalent to many healthcare interventions), with all other receptors falling within the negligible cancer risk level. Also, for the Reasonable Foreseeable Development Case, as presented in Table 15.5-6 of Draft EIS Section 15.5.2.2, the predicted cancer risk for the camp worker and seasonal resident at the Patterson Lake South Arm during the Project lifespan would be within the 1 in 10,000, or very low risk level; the predicted cancer risk for the subsistence harvester at the Patterson Lake South Arm during the Project lifespan would be within the 1 in 1,000, or low risk level (i.e., equivalent to clinical procedures); and for all other receptors the predicted cancer risk would be within the negligible cancer risk level. As noted in Section 5.4.1.1.2 of Draft EIS TSD XXI (Environmental Risk Assessment), moose organs ingestion rates were based on the ingestion rates provided in the First Nations Food, Nutrition and Environment Study (Chan et al. 2018). The Traditional Foods diet assumptions were further refined with input from Indigenous Groups and other communities primarily through JWG discussions in October 2019 and February 2020 (Draft EIS TSD XXI [Environmental Risk Assessment], Section 5.1.3.2.2). Overall, the diet is conservative in that it was based on the higher ingestion rates in the male diet and the high consumer of Traditional Foods. As the requested information is already provided in the Draft EIS, no changes are required. **References**

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				Chan, L., Receveur, O., Sadik, T., Schwartz, H., Ing, A., Fediuk, K., Tikhonov, C. (University of Ottawa). 2018. First Nations Food, Nutrition and Environment Study (FNFNES): Results from Saskatchewan (2015).
89.	BNDN (October 12, 2022)	EIS Section 15, Appendix A, Section 3.3, p. 316	It is stated that concentrations in sediment were modelled based on concentrations in water. No baseline sediment data was collected. 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.	NexGen assumes that the comment is referring to p. 3.16 of Appendix A of Draft EIS TSD XXI (Environmental Risk Assessment) rather than the document reference provided. NexGen confirms that baseline sediment quality was collected as presented in Section 4.0 of Annex V.1 (Aquatic Baseline). Figure 3-3 in Appendix A of TSD XXI shows the measured baseline sediment data compared to modelled sediment concentrations. The baseline sediment data was used to validate the water to sediment partition coefficients used in the model.
90.	BNDN (October 12, 2022)	EIS Section 15.5.1.2, page 15-58	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. The HHRA report must be updated to clearly state what an exceedance of the risk acceptability benchmark means for those exposed to arsenic.	NexGen notes that context regarding the Health Canada cancer risk levels is provided in Draft EIS Section 15.5.1.2 (Carcinogens). NexGen further notes that the 1 in 100,000 incremental cancer risk represents a negligible risk rather than an acceptability benchmark. As presented in Table 15.5-2 of Draft EIS Section 15.5.1.2, the predicted cancer risk for the subsistence harvester at the Patterson Lake South Arm during the Project lifespan for both the Application Case and upper bound sensitivity scenario would be within the 1 in 10,000, or very low risk level (i.e., equivalent to many healthcare interventions), with all other receptors falling within the negligible cancer risk level. Also, for the Reasonable Foreseeable Development Case, as presented in Table 15.5-6 of Draft EIS Section 15.5.2.2, the predicted cancer risk for the camp worker and seasonal resident at the Patterson Lake South Arm during the Project lifespan would be within the 1 in 10,000, or very low risk level; the predicted cancer risk for the subsistence harvester at the Patterson Lake South Arm during the Project lifespan would be within the 1 in 1,000, or low risk level (i.e., equivalent to clinical procedures); and for all other receptors the predicted cancer risk would be within the negligible cancer risk level. No changes to the EIS are required.
91.	BNDN (October 12, 2022)	EIS Section 15.8, page 15-76.	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. The Indigenous-led Country Foods Monitoring Program must consider sample submission from hunters (moose and moose organs) and fishers (Northern pike and walleye).	NexGen confirms that the inclusion of moose and fish tissue samples into the Regional Traditional Foods Study is planned to be discussed further with the BNDN through the Environmental Committee.
92.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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.	NexGen notes that fugitive dust would be minimized through the environmental design features and mitigation measures provided in Table 7.2-10 of Draft EIS Section 7.2.4 (Project Interactions and Mitigations). Should unexpected localized exceedances of guidelines occur, further mitigation measures would be explored and implemented, if warranted. However, shut down of site activities would not occur unless unacceptable risks to worker or public health or safety existed. A risk-based, graded approach would be taken to managing work during active wildfires. Worker health and safety would be a priority and personal protective equipment would be made available or site activities modified to protect workers during wildfire events, if necessary. However, shut down of site activities would not occur unless unacceptable risks to worker or public health or safety existed.
93.	BNDN (October 12, 2022)	EIS Section 7.0	Diesel power generators contribute to the majority of construction related air emissions including the majority of NO_2, 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. 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.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference.

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				NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. NexGen further notes that because no local power supply currently exists near the Project site, the temporary use of diesel during Construction would be required. Prior to the initial portion of the LNG power plant being commissioned, diesel generators would be utilized to provide temporary power for early Construction activities, including operation of the batch plant, freeze plants, camp, and office facility (EIS Section 5.4.7.5 [Power Supply and Distribution]). Electricity for both surface and underground operations would be supplied by an on-site LNG power plant, once constructed and operational (EIS Section 5.4.7.5). Mitigation measures such as using and maintaining emissions control devices on combustion-based equipment and identifying and implementing procurement criteria to confirm stationary and mobile engines meet applicable performance standards (EIS Section 7.2.4 [Project Interactions and Mitigations], Table 7.2-10) are expected to minimize effects associated with diesel power generation. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024. NexGen would also implement a net-zero framework and periodically reassess alternative technologies and practices to responsibly manage energy use and GHG emissions (EIS Appendix 23A [Summary of Environmental Design Features and Mitigation Measures], Table 23A-3).
94.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. In addition, as noted in Section 2 of EIS TSD XII (Net Zero Framework), NexGen has commenced the process of planning for future reduction in GHG emissions at the proposed Project. Among others, GHG reduction options that would be considered for the mobile fleet include the use of biodiesel or and/or renewable diesel. Biodiesel would have limited GHG reduction potential, though renewable diesel would have a higher GHG reduction potential (EIS TSD XII, Section 5, Table 5). Currently however, there is limited use of renewable diesel supply in Canada, though this may change in the future (EIS TSD XII, Section 5, Table 5). Potential opportunities for the use of biodiesel and/or renewable diesel will be further evaluated at the appropriate time as the Project advances. In the meantime, mitigation measures such as using Tier 4 diesel mobile equipment for underground operations (whenever practical), limiting idling of vehicles and equipment to the extent practical, and using and maintaining emissions control devices on combustion-based equipment (EIS Section 7.2.4 [Project Interactions and Mitigations], Table 7.2-10) are expected to minimize mobile fleet emissions. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
95.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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	NexGen disagrees that the dioxan and furan emissions are required to be included in the residual effects assessment for air quality. As discussed in Draft EIS Section 7.2.2.8 (Residual Effects Analysis), the residual effects analysis focused on constituents of potential concern that have either Saskatchewan or federal air quality guidelines; no annual criterion for dioxins and furans is available. However, NexGen confirms that modelled concentrations for dioxins and furans were assessed in the environmental risk assessment as documented in Section 4.3.3.2 of Draft EIS TSD XXI (Environmental Risk Assessment). As no annual criterion for dioxins and furans is available, the maximum 24-hour concentration of dioxins and furans at the human and ecological receptor locations was compared against the 24-hour Ontario Ambient Air Quality Criteria of 0.1 picograms of toxicity equivalents per cubic meter (pg TEQ/m^3) (MECP 2020).

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			against relevant or equivalent regulatory standards. This will allow BNDN to better assess the fulsome Project-related air quality effects.	The 24-hour criterion was not predicted to be exceeded at receptor locations, and no health or environmental concerns were identified. **References** MECP (Ontario Ministry of the Environment, Conservation and Parks). 2020. Technical Assessment and Standards Development Branch, 2020. Ambient Air Quality Criteria.
96.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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.	NexGen disagrees that radon and radionuclides are required to be included in the residual effects assessment for air quality. As discussed in Draft EIS Section 7.2.2.8 (Residual Effects Analysis), the residual effects analysis focused on constituents of potential concern that have either Saskatchewan or federal air quality guidelines; no annual criterion for radon or radionuclides is available. However, NexGen confirms that radon emissions and radionuclide concentrations were modeled in Draft EIS Appendix 7A (Air Dispersion Modelling Report) and were assessed in the environmental risk assessment (Draft EIS TSD XXI [Environmental Risk Assessment], Section 5.4.1 and Section 6.4.1) and Draft EIS Section 15.5.1.3 (Radionuclides and Radon).
97.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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). 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. o Uranium (U) 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)	NexGen disagrees that metals are required to be included in the residual effects assessment for air quality. As discussed in Draft EIS Section 7.2.2.8 (Residual Effects Analysis), the residual effects analysis focused on constituents of potential concern that have either Saskatchewan or federal air quality guidelines; no annual criterion for metals is available. However, NexGen confirms that metals were modeled in Draft EIS Appendix 7A (Air Dispersion Modelling Report) and were assessed in the environmental risk assessment (Draft EIS TSD XXI [Environmental Risk Assessment], Section 5.4.1 and Section 6.4.1) and Draft EIS Section 15.5.1.1 (Non-Carcinogens).
98.	BNDN (October 12, 2022)	EIS Section 7.0	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.	NexGen confirms that details of the monitoring programs will be developed during permitting and licensing, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. Long-term monitoring of trace metals can be discussed as part of these processes, if of interest to the BNDN.

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			Further, Project-related dust will also deposit on traditionally important vegetation communities and surface water resources. NexGen must monitor Project-related dust for trace metal concentrations to determine which trace metals are contained in Project related dust and at what 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	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. 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.	NexGen confirms that details of the monitoring programs will be developed during permitting and licensing, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. Long-term monitoring of dioxins and furans can be discussed as part of these processes, if of interest to the BNDN.
100.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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.	NexGen confirms that details of the monitoring programs will be developed during permitting and licensing, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. Long-term monitoring of radon and radionuclides can be discussed as part of these processes, if of interest to the BNDN.
101.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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.	NexGen confirms that details of the monitoring programs will be developed during permitting and licensing, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring plans with the BNDN through the Environmental Committee. Long-term monitoring of constituents of potential concern can be discussed as part of these processes, if of interest to the BNDN.
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.	Low-level radioactive waste that contains radionuclide contents above unconditional clearance levels and exemption quantities (CNSC 2021) would be incinerated in the low-level radioactive waste incinerator. As presented in Draft EIS Section 5.4.6.3 (Low-Level Radioactive Waste), it is estimated that the Project will generate between 67,000 kg/yr and 102,000 kg/yr of low-level radioactive waste low-level radioactive waste during Construction and between 8,700,000 kg/yr and 14,600,000 kg/yr of low-level radioactive waste during Operations. Further information regarding low-level radioactive waste volumes will be provided during licensing and permitting. NexGen notes that a radiation exposure assessment for the low-level radioactive waste will be submitted in support of the license application. **References** CNSC (Canadian Nuclear Safety Commission). 2021. Radioactive Waste. Available at https://www.cnsc-ccsn.gc.ca/eng/waste/low-and-intermediate-waste/.
103.	BNDN (October 12, 2022)	EIS Section 7.0	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). 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.	NexGen notes that the development of a GHG/carbon emissions offset plan is outside the scope of the *Canadian Environmental Assessment Act, 2012*. However, the Project will be subject to provincial/federal GHG reporting and provincial GHG requirements. NexGen also notes that the Project would represent a major contributor to meeting climate change objectives through the production of a clean energy fuel source. Although the Project would provide an important resource to aid in global GHG emissions reduction, NexGen supports minimizing Project environmental effects, to the extent practicable. With this in mind, NexGen supports discussion with the BNDN within the Environmental Committee to identify opportunities for further GHG reduction mitigation. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.

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104.	BNDN (October 12, 2022)	EIS Section 7.0	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.	This comment has been addressed through both a workshop conducted between NexGen and the BNDN on 7 December 2022 and follow up communication received from the BNDN on 22 December 2022. The 7 December 2022 workshop included key personnel from both NexGen and the BNDN, including BNDN Chief and Council and members of the Environmental Committee. The workshop focused on results of the EA and included topics and discussion regarding the BNDN/NexGen relationship and approach to working together, Project design, potential effects to the environment, potential impacts to the communities, the Benefit Agreement, and employment and training. Following the workshop, BNDN attendees committed to regrouping to rescreen comments based on the discussions held during the workshop and previous engagement conducted between NexGen and the BNDN, including JWG and Environmental Committee meetings. On 22 December 2022, the BNDN emailed NexGen advising that certain comments, including this comment, had been addressed, and provided a comment tracking table for reference. NexGen also notes that, as confirmed during the workshop, further discussions between NexGen and the BNDN on this and other topics, as required, can be conducted through the Implementation Committee or Environmental Committee established through the Benefit Agreement between NexGen and the BNDN. NexGen further notes that emissions related to Project support activities such as fuel or freight hauling by contractors are defined as Scope 3 emissions that are not assessed, consistent with the federal GHG reporting program for individual projects (EIS Section 7.4.2.2.3 [Assessment Endpoints]). While NexGen may not be able to control GHG reduction measures implemented by contractors, Project-specific mitigation measures such as primarily using LNG for power generation, recovering heat from the LNG powerplant and using it to heat other process and ancillary buildings (to the extent practical), implementing a GHG management strategy to reduce emissions to the extent practical, identifying and implementing procurement criteria that confirm stationary and mobile engines meet applicable performance standards, and other measures (EIS Section 7.4.4 [Project Interactions and Mitigations], Table 7.4-7) are expected to minimize Project GHG emissions. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
105.	BNDN (October 12, 2022)	EIS Section 7.0	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. 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: ▪ 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	NexGen notes that Project studies into potential low-carbon-emitting energy alternatives have already been undertaken and disagrees with the assertion that the Project power source needs to be redesigned. Renewable energy alone would be unable to provide sufficient, reliable power to meet Project requirements; however, renewable energy could be used to supplement the energy supply as part of a on-site hybrid power supply system (Draft EIS Section 4.5.7 [Power Supply Type]). An on-site hybrid power supply option was not assessed in the EIS due to uncertainty of successfully being able to implement this type of system and to allow for a conservative (i.e., precautionary) EA approach (i.e., greater emissions would result from the proposed liquefied natural gas [LNG] power supply). The EA showed that the proposed LNG power supply, though not emission-free, would be protective of the environment. NexGen further notes that the potential GHG reduction benefits resulting from the Project through the production of a nuclear energy fuel supply are expected to far outweigh effects associated with Project GHG emissions. Combined heat and power options were also considered in Project design. A trade-off study was completed to assess heat recovery from the LNG generators and will be evaluated further for detailed design, if needed. Heat recovery would reduce GHG emissions indirectly. The energy in the form of waste heat generated from the acid plant could also be re-used in heating the process plant. NexGen notes that diesel power would be required to build the LNG power plant; therefore, replacing all diesel electricity generation is not possible. NexGen also notes that LNG was selected as the preferred alternative as it produces fewer emissions than diesel. NexGen will continue to study opportunities for the incorporation of renewable energy sources for the Project as engineering progresses.
106.	BNDN (October 12, 2022)	EIS Section 7.0	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	a) NexGen notes that a Regional Traditional Foods Study has been initiated with the primary Indigenous Groups, including the BNDN. NexGen also confirms that the inclusion of Traditional Food tissue samples into the Regional Traditional Foods Study can be discussed further with the BNDN through the Environmental Committee. b) NexGen confirms that details of the monitoring programs will be developed during permitting and licensing, with mechanisms existing within the Benefit Agreement with the BNDN to discuss the development of these monitoring

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			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. 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. 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. c) NexGen must revise the air quality residual effects assessment to include radionuclides.	plans with the BNDN through the Environmental Committee. Long-term monitoring of radionuclides can be discussed as part of these processes, if of interest to the BNDN. c) NexGen disagrees that radionuclides are required to be included in the residual effects assessment for air quality. As discussed in Draft EIS Section 7.2.2.8 (Residual Effects Analysis), the residual effects analysis focused on constituents of potential concern that have either Saskatchewan or federal air quality guidelines; no annual criterion for radionuclides is available. However, NexGen confirms that radionuclide concentrations were modeled in Draft EIS Appendix 7A (Air Dispersion Modelling Report) and were assessed in the environmental risk assessment (Draft EIS TSD XXI [Environmental Risk Assessment], Section 5.4.1 and Section 6.4.1) and Draft EIS Section 15.5.1.3 (Radionuclides and Radon).
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.	NexGen confirms that the water management system will be designed to keep contact water from the potentially acid generating (PAG) waste rock storage area (WRSA) separate from the non-PAG WRSA. The precise design parameters to be implemented will be more clearly defined as engineering progresses and provided in the licensing and permitting processes. Once more information is available, design details and plans can be presented to the BNDN for further discussion through the Environmental Committee, if of interest to the BNDN.
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.	NexGen notes that potential borrow source material investigations are currently ongoing; therefore, borrow pit locations are unknown at this time. However, the precise borrow pit locations would be documented/ authorized as a part of the Project permitting process. The approach for constructing the potentially acid generating waste rock storage area will be provided in documents to support permitting and licensing (e.g., Mine Waste Management Plan).
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).	NexGen notes that the reviewer's comment is sourced from the Master Executive Summary, which provides a high-level summary of information contained within the Draft EIS, including water management pond design criteria. More comprehensive information regarding water management ponds may be found in Draft EIS Section 5.4.5.2 (Surface Water Management). No changes to the EIS are required.
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.	NexGen notes that the reviewer's comment is sourced from the Master Executive Summary, which provides a high-level summary of information contained within the Draft EIS, including information regarding constituent of potential concern containment measures such as high-density polyethylene liners. More comprehensive information regarding constituent of potential concern containment measures may be found in Draft EIS Section 5.4 (Project Components). No changes to the EIS are required.
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). The proposed locations for the stockpiles for the stripped in-situ materials must be planned in the general layout drawing.	NexGen notes that the conceptual topsoil storage area locations are shown as orange polygons in the figure referenced by the reviewer (Draft EIS Master Executive Summary, Figure 2.3-1). No changes to the EIS are required.
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.	As stated in Draft EIS Section 8.5.1.1.1 (Groundwater Elevation), "[v]ertically, the extent of depressurization is generally limited to the basement rock, as the overlying sandstone aquifer is considerably more transmissive. The maximum simulated drawdown within the sandstone was estimated to be less than 5 m in the immediate area of the mine workings." As the drawdown in the sandstone is minimized by the hydrostatic liner for the shaft, ground settlement would be minimal. No changes to the EIS are required.
113.	BNDN (October 12, 2022)	EIS Executive Summary Section 7 Reference, P199	Three references which may be related to the dam and tailings/water management facilities, missed, including: ▪ MNR, 2011. Ontario Ministry of Natural Resources (MNR) and Forestry 2011 Lakes and Rivers Improvement Act (LRIA), Dam Safety Guidelines	NexGen confirms that a tailings dam is not proposed in the Project design; therefore, the references to dam safety are not applicable. NexGen notes that The Mining Association of Canada's best management standards are referenced as a standard in Draft EIS Section 5.3.1 (Design Standards). No changes to the EIS are required.

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			▪ 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 We recommend adding the three references to the list, which will be followed in the embankment and WMPs design.	
114.	BNDN (October 12, 2022)	EIS Section 5.4.4.1, P5-63	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. Please clarify the design measures to prevent the contact water flow from PAG to NPAG through the contact boundary between the two stockpiles.	NexGen confirms that the water management system will be designed to keep contact water from the potentially acid generating (PAG) waste rock storage area (WRSA) separate from the non-PAG WRSA. The precise design parameters to be implemented will be more clearly defined as engineering progresses and provided in the licensing and permitting processes. Once more information is available, design details and plans can be presented to the BNDN for further discussion through the Environmental Committee, if of interest to the BNDN.
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.	NexGen confirms that stockpile slope stability design criteria will be submitted as part of the Facility Description Manual required for permitting and licensing. This information can be discussed with the BNDN through the Environmental Committee, if of interest to the BNDN. No changes to the EIS are required.
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.	NexGen confirms that the embankments for the water management facilities are not classified as dams; therefore, the Canadian Dam Association guidelines do not apply. No changes to the EIS are required.
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.	NexGen notes that the conceptual topsoil storage area locations are shown as orange polygons in Figure 5.1-3 of Draft EIS Section 5.1.1 (Project Overview). No changes to the EIS are required.
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.	As stated in Draft EIS Section 8.5.1.1.1 (Groundwater Elevation), "[v]ertically, the extent of depressurization is generally limited to the basement rock, as the overlying sandstone aquifer is considerably more transmissive. The maximum simulated drawdown within the sandstone was estimated to be less than 5 m in the immediate area of the mine workings." As the drawdown in the sandstone is minimized by the hydrostatic liner for the shaft, ground settlement would be minimal. No changes to the EIS are required.

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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.	NexGen disagrees that additional far-future scenario information is required as appropriate assessments were provided in the Draft EIS. ▪ The far-future scenario that was considered for relevant disciplines encompasses the anticipated long-term period during extremely slow migration of COPCs from the underground workings and waste rock storage areas to the environment. o The temporal scope of the assessment for hydrogeology included the period for which the maximum effects on groundwater quality are predicted. Due to the relatively low groundwater velocities between the proposed Project and the receiving environment, as well as the potential for chemical reactions along the groundwater flow pathway, the temporal scope includes the 400,000-year period following Construction (i.e., the far future). For example, the temporal scope for the groundwater solute transport model includes the 400,000-year period following Construction (i.e., the far future). ▪ The far-future scenario is applicable for groundwater and surface water quality intermediate components and to the human health valued component, including ecological receptors, which were assessed through the environmental risk assessment. While it is not possible to accurately predict any process thousands of years into the future, the far-future scenario is a reasonable representation of the long-term return to steady-state conditions. ▪ Where appropriate, the far-future projection was carried into the Application Case and the Reasonably Foreseeable Case, and climate change was also considered. ▪ Creating additional scenarios would not increase confidence in effects predictions or change the assessment conclusions.
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	NexGen disagrees with the reviewer's assertion that further assessment is required as a precautionary approach has been conducted throughout the EA so that effects were not underestimated. ▪ Examples of a precautionary approach include not including mitigation in the assessments when the likelihood of mitigation success was uncertain or unknown, assessing for phases or periods (i.e., temporal snapshots) of the Project when adverse effects were predicted to be most pronounced, not using reclamation or offsetting to remove pathways, considering a residual effect permanent when likelihood of reversibility was very low or uncertain, and in the determination of significance. ▪ Each discipline section of the EIS included a subsection that described uncertainty and how uncertainty was managed, including use of the precautionary approach. ▪ Creating additional scenarios would not increase confidence in effects predictions or change the assessment conclusions.
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.	NexGen maintains that the manner in which climate change was considered and incorporated throughout the EIS meets *Canadian Environmental Assessment Act, 2012* requirements. ▪ The climate change roadmap in Draft EIS Appendix 6A (Climate Change Roadmap) outlines where and how climate change was incorporated throughout the EIS and identifies the key linkages between the EIS sections and TSDs where climate change was considered. ▪ A range of studies have been completed within TSDs to meet the environmental and sustainability goals: o Draft EIS TSD XIII (Upstream Greenhouse Gas Emissions and Carbon Intensity Discussion) provides a qualitative discussion of how uranium concentrate produced from the Project would contribute to the nuclear energy sector to help reduce carbon intensity of electric grids. Based on the available literature review, carbon intensity of nuclear power is qualitatively compared to the carbon intensity of fossil fuels and renewable energy to identify the effect of alternatives (e.g., fossil fuels, renewable energy) on GHG emissions compared to nuclear energy. o Draft EIS TSD XII (Net-Zero Framework) provides a preliminary assessment of potential alternative technologies and practices that could be used to manage Project energy use and reduce Project GHG emissions during its lifetime. o Draft EIS TSD XIII was used to support the discussion on carbon intensity of alternative energy type. ▪ Section 2.1 of Draft EIS TSD XIII includes a description specific to *Canadian Environmental Assessment Act, 2012* (i.e., related to Scope 1 and Scope 2 emissions only). Section 3.3 of Draft EIS TSD XIII considers how the Project could contribute to the Government of Canada's ability to meet its environmental obligations and its commitments in respect of climate change by enabling the displacement of high GHG intensity fossil fuel electrical generation and helping the production of renewable energy.

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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.	NexGen disagrees that the purpose of the Project needs to be reassessed. The purpose of the Project is grounded in sustainability as per the following: ▪ The Project represents a substantial and consistent potential source of uranium for meeting the expected growing global demand for electricity. ▪ The Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy. ▪ The Project would also support Saskatchewan's objective of developing lower carbon emission electricity generation over the next decade (Government of Saskatchewan 2019). ▪ While uranium is not the only option to support local and global GHG reduction endeavours, the demand for uranium is increasing, and this energy source can be an important part of the solution as the world moves towards more sustainable measures to protect the environment and reduce climate change effects. ▪ The Project would generate socio-economic benefits and opportunities for local Indigenous Groups, communities, the Province of Saskatchewan, and Canada, including increased direct local and national employment, tax and royalty revenue, and associated indirect economic benefits and employment at local to national scales. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. Government of Saskatchewan. 2019. Saskatchewan's Growth Plan. The Next Decade of Growth: 2020-2030. November 2019.
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 CNSC to consider the sustainability of the project and the measures that would be implemented to protect future generations from environmental harm.	NexGen notes that the requirement to provide management plans is outside the scope of the *Canadian Environmental Assessment Act, 2012*. Further information regarding the details of management plans, monitoring and follow-up programs, or decommissioning and reclamation plans will be provided through licensing. NexGen also notes the following: ▪ One of the goals of the EA process is to promote the sustainable development of natural resources. ▪ Sustainability was incorporated into the EIS; assessment endpoints incorporate the concept of sustainability. In this context, sustainability means "the ability to protect the environment, contribute to the social and economic well-being of the people of Canada, and preserve their health in a manner that benefits present and future generations" (IAAC 2020). At a high level, sustainability means meeting this generation's needs without compromising the ability of future generations to meet their own needs. ▪ Environmental sustainability considers the maintenance of ecological integrity, and social sustainability considers economic stability and healthy communities. Sustainability concepts, scientific principles, and the outcomes from engagement and Indigenous Knowledge and Traditional Land Use Studies were used to help define the assessment endpoints for biophysical, cultural, and socio-economic valued components. NexGen confirms that a conceptual preliminary decommissioning and reclamation plan will be included in the Final EIS as Appendix 5A. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. IAAC (Impact Assessment Agency of Canada). 2020. Guidance: Considering the Extent to which a Project Contributes to Sustainability. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/guidance-considering-extent-project-contributes-sustainability.html.

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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.	NexGen disagrees that the cumulative effects assessment is deficient and will not be reconducting the scoping phase in accordance with the Canadian Environmental Law Association's valued component and boundary recommendations. ▪ Cumulative effects were considered for existing conditions, which include the combined effects of previous, existing, and approved projects and potential incremental effects from the Project and reasonably foreseeable developments (RFDs). ▪ Cumulative effects were assessed through the Base Case, Application Case, and RFD Case, which included predicted effects from climate change, where applicable.
125.	CELA (October 12, 2022)		The EIS be updated to clearly identify all the types of cumulative effects that were assessed for each VC.	NexGen disagrees that updates are required in the Final EIS as this information is already contained within the Draft EIS. ▪ The EIS considered cumulative effects on valued components (VCs) and intermediate components from previous, existing, and approved projects; the Project; reasonably foreseeable developments (RFDs); climate change; and natural factors. ▪ An RFD Case assessment (i.e., cumulative effects assessment) was not required for every VC or intermediate component. An RFD case assessment was completed if the effects from the Project and RFDs overlapped or interacted within the temporal or spatial distribution of the VC or intermediate component.
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.	NexGen notes that the information requested by the reviewer is available in the Draft EIS. Draft EIS Appendix 6B (Project Interactions Matrix) provides a matrix of coarse-level Project interactions and valued components (VCs). Coarse-level Project-VC and Project-intermediate component interactions described in Draft EIS Appendix 6B were subsequently partitioned into a comprehensive list of finer-scale effects pathways and evaluated as no pathway, secondary pathway, and primary pathway for each VC in each discipline section (Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-being]) under the "Project Interactions and Mitigations" subsection.
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.	NexGen notes that intermediate components were assessed using the same approach as was used for valued components (VCs) (i.e., same process and steps) with the exception that the significance of residual effects was not determined for intermediate components as intermediate components do not have assessment endpoints or significance criteria (Draft EIS Section 6.3.3 [Intermediate Components]). This is because the significance of changes in intermediate components can only be evaluated in the context of related influences to VCs, which are the ultimate receptors. For example, the significance of effects to changes to water quality can only be determined with regards to the ultimate receptors, such as humans, fish, or wildlife. Cumulative effects were considered in the assessment of intermediate components for Base Case, Application Case, and the Reasonably Foreseeable Development (RFD) Case, where appropriate. For example, hydrology (Draft EIS Section 9) and surface water quality and sediment quality (Draft EIS Section 10) assessments were completed for the RFD Case as well as from influences of climate change. No changes to the EIS are required.
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.	NexGen disagrees with the reviewer's assertion that the fish and fish habitat valued components (VCs) require further evaluation and assessment. NexGen notes the following: ▪ Avoiding VC redundancy aligns with technical guidance for EAs: ▪ "The state (health, status, or condition) of a species may be monitored because it is seen as an indicator species (i.e., a reflection of the state of the environment on a chosen scale). In an EA, it may be used as a surrogate to predict environmental effects on other species or another ecologically justifiable group if it provides a reasonably accurate prediction of effects and response on those other species/groupings." (IAAC 2022) ▪ ". . . whether the potential effects of the project on the VC can be measured and/or monitored or would be better ascertained through the analysis of a proxy VC." (IAAC 2020) ▪ "Sometimes, multiple candidate VCs may be affected by the project in the same or similar ways. In such cases, it may be appropriate to select only one of the candidate VCs for detailed analysis, to avoid redundancy in analysis. This is particularly true for biological VCs that may be members of the same guild or group of species that occupy a common ecological niche and display similar ecological functions and requirements." (BC EAO 2013) ▪ Avoiding redundancy was not the only factor considered in selecting VCs. Other factors considered included (Draft EIS Section 6.3.1 [Valued Components]):

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				o potential for interaction with the Project and degree of interaction, including presence, abundance, and amount of spatial overlap of a VC with the Project; o sensitivity of a VC to potential Project effects and level of damage or harm that could be realized should an adverse effect occur; o species conservation status or concern (e.g., rarity, sensitivity, uniqueness); o Indigenous and Local Knowledge obtained from feedback during community engagement sessions for the Project and through discussions with the Joint Working Groups; o ecological and socio-economic/cultural value to communities, government agencies, and the public; o inclusion in Appendix C of REGDOC 2.9.1 (CNSC 2020); and o recent experience with similar projects in Saskatchewan and other jurisdictions in Canada. As a result, NexGen maintains that the scoping of fish and fish habitat VCs is appropriate for the EIS; no changes are required. **References** BC EAO (British Columbia Environmental Assessment Agency). 2013. Guideline for the Selection of Valued Components and Assessment of Potential Effects. Available at https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/eao-guidance-selection-of-valued-components.pdf. CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, version 1.2. Environmental Principles, Assessment and Protection Measures. September 2020. 63 pp. IAAC (Impact Assessment Agency of Canada). 2020. Tailored Impact Statement Guidelines Template for Designated Projects Subject to the *Impact Assessment Act*. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/tailored-impact-statement-guidelines-projects-impact-assessment-act.html#_Toc15652126. IAAC. 2022. Technical Guidance for Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. March 2018. Version 2. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/assessing-cumulative-environmental-effects-ceaa2012.html#toc004.
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.	Please see NexGen's response to Public Comment, CELA #128. As there are no proposed changes to fish and fish habitat VCs, no changes to the EIS are required.
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.	NexGen disagrees that a re-evaluation of the moderate to high confidence level is required for the assessment of cumulative effects on vegetation VCs. As indicated in Draft EIS Section 13.2.10 (Prediction Confidence and Uncertainty), the vegetation assessment predicts future conditions for vegetation with the addition of the Project and the Fission Patterson Lake South Property and climate change. As with all predictions of future conditions, the predictions embody some degree of uncertainty. To address uncertainty, the assessment applied a precautionary (i.e., conservative) approach by identifying the greatest magnitude, duration, and geographic extent of potential adverse effects when a range of outcomes were possible. Further, conservatism was also included into the modelling and analysis completed by intermediate components such as air quality, hydrogeology, hydrology, surface water quality, and terrain and soils, including climate change predictions, where appropriate. Overall, a detailed assessment of vegetation VCs was completed. Therefore, no changes to the EIS are required.

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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.	NexGen disagrees with the reviewer's assertion that the vegetation VCs require further evaluation and assessment. NexGen notes the following: ▪ Avoiding redundancy aligns with technical guidance for EAs: o "The state (health, status, or condition) of a species may be monitored because it is seen as an indicator species (i.e., a reflection of the state of the environment on a chosen scale). In an EA, it may be used as a surrogate to predict environmental effects on other species or another ecologically justifiable group if it provides a reasonably accurate prediction of effects and response on those other species/groupings." (IAAC 2022) o ". . . whether the potential effects of the project on the VC can be measured and/or monitored or would be better ascertained through the analysis of a proxy VC." (IAAC 2020) o "Sometimes, multiple candidate VCs may be affected by the project in the same or similar ways. In such cases, it may be appropriate to select only one of the candidate VCs for detailed analysis, to avoid redundancy in analysis. This is particularly true for biological VCs that may be members of the same guild or group of species that occupy a common ecological niche and display similar ecological functions and requirements." (BC EAO 2013) ▪ Avoiding redundancy was not the only factor considered in selecting valued components. Other factors considered included (Draft EIS Section 6.3.1 [Valued Components]): o potential for interaction with the Project and degree of interaction, including presence, abundance, and amount of spatial overlap of a VC with the Project; o sensitivity of a VC to potential Project effects and level of damage or harm that could be realized should an adverse effect occur; o species conservation status or concern (e.g., rarity, sensitivity, uniqueness); o Indigenous and Local Knowledge obtained from feedback during community engagement sessions for the Project and through discussions with the Joint Working Groups; o ecological and socio-economic/cultural value to communities, government agencies, and the public; o inclusion in Appendix C of REGDOC 2.9.1 (CNSC 2020); and o recent experience with similar projects in Saskatchewan and other jurisdictions in Canada. As a result, NexGen maintains that the scoping of vegetation VCs is appropriate for the EIS; no changes are required. **References** BC EAO (British Columbia Environmental Assessment Agency). 2013. Guideline for the Selection of Valued Components and Assessment of Potential Effects. Available at https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/eao-guidance-selection-of-valued-components.pdf. CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, version 1.2. Environmental Principles, Assessment and Protection Measures. September 2020. 63 pp. IAAC (Impact Assessment Agency of Canada). 2020. Tailored Impact Statement Guidelines Template for Designated Projects Subject to the *Impact Assessment Act*. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/tailored-impact-statement-guidelines-projects-impact-assessment-act.html#_Toc15652126. IAAC. 2022. Technical Guidance for Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. March 2018. Version 2. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/assessing-cumulative-environmental-effects-ceaa2012.html#toc004.
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 assessment of wildlife and wildlife habitat accurately captures any potential environmental effects requiring mitigation and monitoring.	NexGen disagrees with the reviewer's assertion that the wildlife and wildlife habitat VCs require further evaluation and assessment. NexGen notes the following: ▪ Avoiding redundancy aligns with technical guidance for EAs: o "The state (health, status, or condition) of a species may be monitored because it is seen as an indicator species (i.e., a reflection of the state of the environment on a chosen scale). In an EA, it may be used as a surrogate to predict environmental effects on other species or another ecologically justifiable group if it provides a reasonably accurate prediction of effects and response on those other species/groupings." (IAAC 2022)

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				o ". . . whether the potential effects of the project on the VC can be measured and/or monitored or would be better ascertained through the analysis of a proxy VC." (IAAC 2020) o "Sometimes, multiple candidate VCs may be affected by the project in the same or similar ways. In such cases, it may be appropriate to select only one of the candidate VCs for detailed analysis, to avoid redundancy in analysis. This is particularly true for biological VCs that may be members of the same guild or group of species that occupy a common ecological niche and display similar ecological functions and requirements." (BC EAO 2013) ▪ Avoiding redundancy was not the only factor considered in selecting valued components. Other factors considered included (Draft EIS Section 6.3.1 [Valued Components]): o potential for interaction with the Project and degree of interaction, including presence, abundance, and amount of spatial overlap of a VC with the Project; o sensitivity of a VC to potential Project effects and level of damage or harm that could be realized should an adverse effect occur; o species conservation status or concern (e.g., rarity, sensitivity, uniqueness); o Indigenous and Local Knowledge obtained from feedback during community engagement sessions for the Project and through discussions with the Joint Working Groups; o ecological and socio-economic/cultural value to communities, government agencies, and the public; o inclusion in Appendix C of REGDOC 2.9.1 (CNSC 2020); and o recent experience with similar projects in Saskatchewan and other jurisdictions in Canada. As a result, NexGen maintains that the scoping of wildlife and wildlife habitat VCs is appropriate for the EIS; no changes are required. **References** BC EAO (British Columbia Environmental Assessment Agency). 2013. Guideline for the Selection of Valued Components and Assessment of Potential Effects. https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/eao-guidance-selection-of-valued-components.pdf. CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, version 1.2. Environmental Principles, Assessment and Protection Measures. September 2020. 63 pp. IAAC (Impact Assessment Agency of Canada). 2020. Tailored Impact Statement Guidelines Template for Designated Projects Subject to the *Impact Assessment Act*. https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/tailored-impact-statement-guidelines-projects-impact-assessment-act.html#_Toc15652126. IAAC. 2022. Technical Guidance for Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. March 2018. Version 2. https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/assessing-cumulative-environmental-effects-ceaa2012.html#toc004.
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.	As noted in the response to Public Comment #132, where Project effects may be similar to multiple VCs, to avoid redundancy, it is appropriate to select one VC for analysis (BC EAO 2013). However, recognizing that northern myotis, common nighthawk, and barn swallows are federally listed species, effects to these species were evaluated through a screening-level assessment that included cumulative effects and determination of significance (Draft EIS Appendix 14A [Species at Risk Screening Assessment]). **References** BC EAO (British Columbia Environmental Assessment Agency). 2013. Guideline for the Selection of Valued Components and Assessment of Potential Effects. https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/eao-guidance-selection-of-valued-components.pdf.
134.	CELA (October 12, 2022) – p. 45		The EIS should be updated with cumulative effects assessment scoping for potential insect VCs	NexGen confirms that insects were not assessed in Draft EIS Section 14.5.12 (Additional Species at Risk Screening Assessments). However, through discussion with Environment and Climate Change Canada, four species-at-risk arthropods (i.e., yellow-banded bumble bee, Ashton cuckoo bumble bee, transverse lady beetle, and nine-spotted lady beetle) were added to Final EIS Appendix 14A (Species at Risk Screening Assessment) through a screening-level assessment similar to the assessment completed for the northern myotis, common nighthawk, and barn swallow (Draft

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				EIS Appendix 14A [Species at Risk Screening Assessment]). This assessment includes consideration of both Project-specific and cumulative effects.
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.	NexGen confirms that it is in the process of developing the Caribou Mitigation and Offsetting Plan through engagement with the Saskatchewan Ministry of Environment, federal regulatory agencies, and local Indigenous Groups to meet legislated requirements and Indigenous management goals. NexGen notes that the Caribou Mitigation and Offsetting Plan will not be provided in the EIS as the provision of management plans is outside the scope of the requirements of an EA of a designated project under *Canadian Environmental Assessment Act, 2012*. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
136.	CELA (October 12, 2022) – p. 45		The scoping of spatial boundaries for VCs associated with water should encompass the Lake Athabasca Basin	NexGen maintains that the Regional Study Area (RSA) selected for hydrology, surface water quality, and fish and fish habitat is appropriate; extending farther downstream to Lake Athabasca would diminish predicted Project effects and is not required for assessing Project-specific effects or cumulative effects from the Project and the Fission Patterson Lake South Property. ▪ The RSA for hydrology, surface water quality, and fish and fish habitat is defined by the Clearwater River watershed boundary upstream of the Mirror River confluence. The RSA is the largest scale at which data were collected, compiled, and analyzed, and includes the area where indirect effects that extend beyond the local study area may occur (CEA Agency 2018). ▪ The RSA is considered large enough to provide an ecologically relevant and confident assessment of the direct and indirect effects from the Project, and the cumulative effects from the Project as well as previous and existing developments, RFDs, and natural factors. ▪ The rationale for selecting the Mirror River confluence as the downstream point defining the RSA is that the potential cumulative changes from the Project and RFDs would not be detectable downstream of this confluence due to the three-fold increase in drainage area and flows. **References** CEA Agency. 2018. Assessing Cumulative Environmental Effects under the Canadian *Environmental Assessment Act, 2012*. Interim Technical Guidance. March 2018. Version 2. Available at http://publications.gc.ca/collections/collection_2018/acee-ceaa/En106-204-2018-eng.pdf.
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.	NexGen maintains that the spatial boundaries selected for the EA are appropriate. As described in Draft EIS Section 6.4.1 (Spatial Boundaries), spatial boundaries were selected for valued components (VCs) and intermediate components of the biophysical, cultural, and socio-economic environments using the following criteria: ▪ physical extent of the Project footprint, which is also referred to as the site study area; ▪ spatial extent of expected Project-related effects, including those that extend beyond the Project footprint; ▪ physical extent of key ecological and socio-economic systems (e.g., watershed boundaries of potentially affected lakes and streams or jurisdictional boundaries of affected Indigenous communities); and ▪ geographic distribution, movement, and spatial interaction of VCs and intermediate components.

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				NexGen notes that the local study areas and regional study areas (RSAs) for hydrology, surface water quality, and fish and fish habitat were based on a watershed approach. In consideration of the inter-relationships among physical and biological components in aquatic and terrestrial ecosystems, a common RSA for the EA was defined for the aquatic and terrestrial assessments and provides a watershed-based context for interpreting the effects of the Project and reasonably foreseeable developments.
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.	NexGen disagrees with the reviewer's comment that the temporal boundaries should be revisited for the cumulative effects assessments within the EIS. As discussed in Draft EIS Section 6.4.2 (Temporal Boundaries), the temporal boundaries used in the EA were specific to the VCs and intermediate components and considered the identified Project phases: Construction, Operations, Decommissioning and Reclamation Phase (i.e., Closure). For some disciplines, effects from the Project that may occur well beyond Closure were also assessed using a far-future scenario. The far-future scenario encompasses the long-term period during which extremely slow migration of constituents of potential concern from the underground workings and waste rock storage areas to the environment are anticipated (i.e., more than 5,000 years). The far-future scenario is applicable for groundwater and surface water quality intermediate components and to the human health VC, including human health receptors, which were assessed through the environmental risk assessment. For some VCs and intermediate components, residual effects were assessed for all phases of the Project, while for other VCs and intermediate components, residual effects were only relevant to specific Project phases. For example, Project effects on wildlife would begin during Construction with the removal and alteration of habitat and continue through Operations and for a period after Closure until effects are reversed or determined to be irreversible (i.e., permanent). The duration for effects to be reversed was VC-specific and linked to forest succession and seral stage of habitat requirements for a VC (e.g., 20 years for beaver, 40 years for caribou, 60-80 years for olive-sided flycatcher). These conditions generated the maximum potential temporal extent of effects and provided confident and ecologically relevant effects predictions. Alternatively, for other VCs and intermediate components, the assessment was completed for those phases or periods (i.e., temporal snapshots) of the Project when adverse effects were predicted to be most pronounced (e.g., most hydrology and surface water quality effects would occur during Operations). Where required, these snapshots were taken at several points within a Project phase or phases so that effects were not underestimated (i.e., a precautionary approach was applied). An example is the evaluation of surface water quality predictions at specific times that represent key milestones throughout the lifespan of the Project. For all VCs and intermediate components, the phase(s) or period(s) of the largest adverse effect were carried forward to the residual effects analysis. As a detailed and precautionary approach was used for the assessment of VCs and intermediate components, no changes to the EIS are required.
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.	NexGen disagrees that the mineral dispositions should be included in the cumulative affects assessment. The definition of reasonably foreseeable developments (RFDs) is provided in Draft EIS Section 6.5.3 (Reasonably Foreseeable Development Case); RFDs are defined as projects and activities that fit any of the first three and both of the last two criteria from the list below: ▪ are currently under regulatory review or have officially entered a formal regulatory application process; ▪ have been publicly disclosed by other proponents; ▪ may be induced by the Project; ▪ have the potential to change the Project or the effects predictions; and ▪ occur in the spatial assessment boundary defined by the VCs and intermediate components. Mineral dispositions located in the general area that have not entered a formal regulatory process or have not yet been publicly disclosed as potential projects and cannot be considered as mines in an RFD Case assessment. There is no information regarding the location, size (i.e., physical disturbance), type (i.e., underground, open pit), and level of operations (e.g., air and vehicle traffic, size of workforce) of these potential developments, which is necessary to predict effects with an appropriate degree of confidence and environmental relevance. Overall, very few mineral dispositions

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				become operating mines. NexGen notes that any exploration activities being conducted on other mineral dispositions are considered in the Base Case assessments. NexGen further notes that including mineral dispositions in the cumulative effects assessment through 'what-if scenarios' is outside the scope of the *Canadian Environmental Assessment Act, 2012* and would add no prediction confidence to the EIS (i.e., effects from mineral dispositions could not be characterized with a degree of certainty that would provide meaningful and relevant conclusions). **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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.	NexGen disagrees with the reviewer's comment stating that all 93 accident and malfunction scenarios should be included in the detailed assessment of accidents and malfunctions. NexGen's approach was to use the 93 accident and malfunction hazard scenarios to select the bounding scenarios for the assessment. The approach for selecting bounding scenarios focused on key accidents or malfunctions that were equal to, or exceeded the potential severity of, other possible scenarios that could occur. This approach maintained an appropriate level of conservatism in the assessment while avoiding redundancies. From the 93 potentially hazardous situations identified, 6 scenarios were carried forward for detailed analysis including risk evaluation. Of these six scenarios, five scenarios were determined to be low risk overall. The acid plant tail gas scrubber failure scenario was deemed to be low to moderate risk. Given that the risk would be managed to be as low as reasonably practicable, this risk was determined to be tolerable, and no further mitigation was deemed necessary. As the risks associated with the 93 accidents and malfunctions scenarios would not be greater than the six accident accidents and malfunctions bounding scenarios, no further assessment is required.
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 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.	NexGen disagrees with the reviewer's comment stating that a different approach to assessing malfunction scenarios is required. NexGen's approach was to use the 93 accident and malfunction hazard scenarios to select the bounding scenarios for the assessment. The approach for selecting bounding scenarios focused on key accidents or malfunctions that were equal to, or exceeded the potential severity of, other possible scenarios that could occur. This approach maintained an appropriate level of conservatism in the assessment while avoiding redundancies. From the 93 potentially hazardous situations identified, 6 scenarios were carried forward for detailed analysis including risk evaluation. Of these six scenarios, five scenarios were determined to be low risk overall. The acid plant tail gas scrubber failure scenario was deemed to be low to moderate risk. Given that the risk would be managed to be as low as reasonably practicable, this risk was determined to be tolerable, and no further mitigation was deemed necessary. As the risks associated with the 93 accidents and malfunctions scenarios would not be greater than the 6 accident accidents and malfunctions bounding scenarios, no further assessment is required.
142.	CELA (October 12, 2022)		The 4-Step process identified by the CEA Agency for considering the alternative means for this project should be used in the EIS.	NexGen assumes that the reviewer is referring to the four steps outlined in addressing "Purpose of" and "Alternative Means" under the *Canadian Environmental Assessment Act, 2012* (CEA Agency 2015) and provides the following information: ▪ As described in Draft EIS Section 4.4 (Alternatives Assessment Approach), the assessments of alternative means for the Project followed applicable guidance for the EIS including CEA Agency (2015) and Government of Saskatchewan (2021). ▪ The alternatives assessments for the Project consisted of the following steps: o identifying technically and economically feasible alternative options; o selecting alternative-specific assessment criteria for the alternatives assessments; o identifying the appropriate assessment level as either a screening-level assessment or a Multiple Accounts Analysis (MAA); o developing a general, logical order to assess the different alternatives assessments;

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				o analyzing potential effects of technically and economically feasible alternative options, which includes relative ranking of alternatives: o for MAAs, this included a sensitivity analysis, where appropriate; and o identifying selected alternatives to be carried forward for the Project. As the steps stated above align with the approach outlined in CEA Agency (2015), no changes to the EIS are required. **References** CEA Agency (Canadian Environmental Assessment Agency). 2015. Addressing "Purpose of" and "Alternative Means" under the *Canadian Environmental Assessment Act, 2012*. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/addressing-purpose-alternative-means-under-canadian-environmental-assessment-act-2012.html. Government of Saskatchewan. 2021. Guidelines for the Terms of Reference and Environmental Impact Statement. Ministry of Environment, Environmental Assessment and Stewardship Branch. June 2021.
143.	CELA (October 12, 2022)		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.	NexGen confirms that effects to valued components (VCs) were considered within the alternative means assessment and provides the following information to clarify the approach: ▪ As described in Draft EIS Section 4.4.2 (Assessment Criteria), VCs and intermediate components are considered within the environmental and social considerations assessment criteria for the assessments of alternative means. ▪ Categories and sub-categories were not exhaustive in terms of relevance to design, and while each sub-category was considered, those sub-categories included in the individual alternatives assessments were selected based on their ability to identify differentiating factors between alternative options being considered. o For example, if a specific environmental or social consideration would have been rated equally across all alternative options, this particular consideration was not assessed; only differentiating criteria were carried forward for evaluation as part of each alternatives assessment. ▪ Alternative-specific criteria were intentionally analyzed separately and individually to reduce the potential for cumulative bias through cross-consideration of criteria (i.e., to preserve judgmental independence). This approach represents standard practice in conducting options analyses and promotes the objective assessment of all considerations independently so that no one set of criteria can overweight or over-influence other criteria. ▪ The assessment criteria described were used in the assessments of alternative means in Draft EIS Section 4.5 (Alternatives Assessments for the Project).
144.	CELA (October 12, 2022)		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.	NexGen confirms that gamma radiation monitoring for workers will be included as a component of the Project Integrated Management System. Project considerations for worker health and safety and radiation protection are described in Draft EIS Section 5.3.1 (Design Standards) and the Integrated Management System is described in Draft EIS Section 5.7. NexGen confirms that monitoring programs for the Project will be developed in accordance with provincial and federal regulatory requirements.
145.	CELA (October 12, 2022)		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.	NexGen confirms that gamma radiation monitoring for workers will be included as a component of the Project Integrated Management System. NexGen would adhere to the necessary regulatory requirements regarding radiological doses to workers.
146.	CELA (October 12, 2022)		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.	NexGen confirms that appropriate measures to protect public safety from Project activities, including potential exposure to gamma radiation, will be implemented.
147.	CELA (October 12, 2022)		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.	NexGen notes that dust mitigation for the Project would include applying water and/or suppressants to site roads, access road, and airstrip, as necessary. The requirement for potential application of dust suppressants to the special waste and ore stockpiles would be evaluated as a mitigation measure based on Project monitoring results. Air quality monitoring, including dust and finer particulate matter and radon monitoring, will be included as a component in the Integrated Management System for the Project, which will be finalized during licensing.
148.	CELA (October 12, 2022)		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 testing must be completed at all underground workplaces and designated surface locations on a monthly basis.	NexGen confirms that gamma radiation monitoring for workers that meets the necessary regulatory requirements will be included as a component of the Project Integrated Management System, including as part of the Radiation Protection Program that would be developed for the Project.
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	NexGen confirms that gamma radiation monitoring for workers that meets the necessary regulatory requirements will be included as a component of the Project Integrated Management System, including as part of the Radiation Protection

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			(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.	Program that would be developed for the Project as part of federal licensing requirements. Draft EIS Section 5.7 (Integrated Management System) provides information on the Project Integrated Management System.
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.	NexGen confirms that radon and dust monitoring would be conducted in accordance with the Integrated Management System developed for the Project, and consistent with the requirements of provincial permitting and federal licensing processes.
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 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.	NexGen confirms that air quality monitoring, including dust and finer particulate matter and radon monitoring, will be included as a component in the Environmental Protection Program and Environmental Monitoring Plan for the Project, both of which will be finalized during provincial permitting and federal licensing processes. Project air quality monitoring would meet all necessary regulatory requirements.
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-plies does not become contaminated and to ensure the integrity of the polyethylene liner has not failed.	NexGen confirms that groundwater monitoring will be included as a component in the Environmental Protection Program and supporting documents (e.g., Environmental Monitoring Plan) for the Project, which will be finalized during provincial permitting and federal licensing processes. Project groundwater monitoring would meet all necessary regulatory requirements.
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.	NexGen confirms that the operation and maintenance of the contingency pond will be in accordance with the design objectives and intent, including requirements for maintaining the integrity of pond design elements under various operational conditions. However, the contingency pond would not be kept full of water as this would negate its use as a contingency measure (i.e., use as an alternative settling pond to handle additional water volume, when required).
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.	NexGen notes that the currently proposed design for the potentially acid generating (PAG) waste rock storage area (WRSA) meets the Saskatchewan Ministry of Environment guidelines. The Construction Guidelines for Pollution Control Facilities at Uranium Mining and Milling Operations (SERM 2000) states the liner criterion for PAG waste rock is a “single HDPE [high-density polyethylene] liner” that is “designed to retain runoff/seepage from a 24-hour [probable maximum precipitation] event”. NexGen has used the criteria outlined in Section 4.4.2 of SERM (2000) to guide the PAG WRSA and contact water collection design. **References** SERM (Saskatchewan Environment and Resource Management). 2000. Construction Guidelines for Pollution Control Facilities at Uranium Mining and Milling Operations. In draft. October 2000.
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.	NexGen confirms that further details regarding the treatment of freshwater for potable water will be provided during provincial permitting and federal licensing processes. Project potable water treatment design would meet all necessary regulatory requirements.
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.	NexGen notes that disposal of treatment residuals (referred to by the reviewer as “sludge”) would be conducted in accordance with regulatory requirements and could include off-site or on-site disposal or land application as biosolids. Further details on the management of conventional waste, including solids generated by the sewage treatment plant, will be provided in the Waste Management Program, Conventional Waste Management Plan, and other management system documents for the Project, as required as part of provincial permitting and federal licensing requirements.
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.	As described in Draft EIS Section 5.4.3.1 (Paste Plant) and Draft EIS Section 5.5.2.3 (Tailings Management), leached residue and gypsum from the process plant and precipitates (i.e., sludge) from the effluent treatment plant would be collected and chemically treated with lime, ferric sulphate, and barium chloride to produce geochemically stable (i.e., neutralized) tailings that would be pumped to the paste plant for use in the production of cemented paste backfill and cemented paste tailings for disposal underground.
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.	NexGen confirms that groundwater monitoring will be included as a component in the Environmental Protection Program and supporting documents (e.g., Environmental Monitoring Plan) for the Project, which will be finalized during provincial permitting and federal licensing processes. Project groundwater monitoring would meet all necessary regulatory requirements.

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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
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 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 worm by the mine employee.	NexGen confirms that worker health and safety monitoring will be included as a component in the Project Integrated Management System. Project worker health and safety monitoring would meet all necessary regulatory requirements. NexGen further notes that, in response to an information request received through the Federal-Indigenous Review Team review of the Draft EIS, the estimated occupational exposure to crystalline silica dust will be provided in Section 15A3.1.1 of Final EIS Appendix 15A (Radiological and Non-Radiological Worker Effects Summary).
160.	CELA (October 12, 2022)		The global and regional importance of this wetland environment ought to be described.	Regional and global characterization of the local wetland environment in the area of the Project is outside the scope of the *Canadian Environmental Assessment Act, 2012*. However, NexGen notes that the current Project footprint is not expected to result in any direct disturbance to wetlands, and changes in the hydrologic and hydrogeologic regimes as a result of the Project are not predicted to affect wetlands. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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.	NexGen disagrees with the reviewer's comment that predicted effects to groundwater requires reassessment. Detailed assessments of changes to groundwater and the potential cascading effects to the environment were conducted as follows: ▪ Potential residual effects of the Project on hydrogeology, or groundwater quantity and quality, are characterized in Draft EIS Section 8 (Hydrogeology). ▪ The hydrogeological assessment also provides information that is used to support the assessments of hydrology (Draft EIS Section 9), surface water quality (Draft EIS Section 10), fish and fish habitat (Draft EIS Section 11), terrain and soils (Draft EIS Section 12), vegetation (Draft EIS Section 13), wildlife and wildlife habitat (Draft EIS Section 14), and human health (Draft EIS Section 15). ▪ Each of these sections outline mitigation measures that would be implemented and the monitoring that would be completed to protect the environment.
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.	NexGen disagrees with the reviewer's comment that cumulative effects monitoring and assessment should be detailed and described within Draft EIS Section 3 (Indigenous and Local Knowledge). Cumulative effects monitoring and assessment were more appropriately discussed within each discipline section (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community-Well-being]), with a summary of residual effects to valued components provided in Draft EIS Section 20 (Summary of Residual Project and Cumulative Effects) and a summary of proposed monitoring programs provided in Draft EIS Appendix 23B (Environmental Assessment Monitoring and Follow-Up Programs Proposed for the Project). No changes to the EIS are required.
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.	NexGen maintains that noise and light effects have been appropriately assessed within the Draft EIS. ▪ As discussed in Draft EIS Section 7.3.2.4 (Temporal Boundaries), quantitative noise modelling focused on one temporal snapshot during Construction and one temporal snapshot during Operations. These temporal snapshots were selected to capture maximum predicted noise effects from Project-related activities and then assessed over the duration of the Project lifespan. ▪ Uncertainty in timing of activities was addressed by making assumptions that conservatively overestimated rather than underestimated potential effects (i.e., a precautionary assessment). ▪ A similar approach was taken for the analysis of light effects in Draft EIS TSD XI (Light Effects Analysis Report), where quantitative light modelling focused on Construction and Operations to capture maximum predicted light trespass and sky glow from Project-related activities. ▪ Sensory disturbance for wildlife was considered in Pathway ID W-03: Sensory disturbance in Draft EIS Section 14.4.3 (Primary Pathways) and assessed in Draft EIS Section 14.5 (Residual Effects Analysis). NexGen further notes that a visual effects assessment is outside the scope of the *Canadian Environmental Assessment Act, 2012*. No changes to the EIS are required. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.

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164.	CELA (October 12, 2022)		Groundwater recovery after mine closure ought to be detailed as well as wetland impacts from groundwater depletion	NexGen notes that the information requested by the reviewer is contained within the Draft EIS. ▪ Predicted groundwater levels, flow directions, and rates after mine closure are described in Draft EIS TSD XIV (Groundwater Flow and Solute Transport Modelling Report). Potential residual effects of the Project on hydrogeology, or groundwater quantity and quality, are characterized in Draft EIS Section 8 (Hydrogeology). ▪ The drift at surface is highly permeable. Consequently, for riparian wetlands adjacent to waterbodies, such as Patterson Lake or Lake G, the surface water elevation is expected to be primarily controlled by the surface water elevation of the adjacent waterbody. During Operations, there is a predicted 5% reduction in groundwater discharge to riparian wetlands distributed between Patterson Lake, Forrest Lake, and Lake G. However, the reduction in baseflow would be mitigated by increased surface water level in Patterson Lake and the Clearwater River below Patterson Lake, as well as Forrest Lake (Draft EIS Section 9.6.1 [Application Case]). Therefore, changes in water levels are not anticipated to affect wetlands in the local study area or regional study area. ▪ One isolated wetland (Black spruce treed bog (Burned)) is located perched on a hill slope adjacent to the access road approximately 30 m above Patterson Lake. This is the only wetland located in the local study area that is not a riparian wetland. Due to the elevation, this wetland is not expected to be an area of groundwater discharge under current conditions or during Operations. As the information referenced by the reviewer is already included within the Draft EIS, no changes are required.
165.	CELA (October 12, 2022)		Baseline data on local water quality, groundwater recharge rates, and water quantity ought to be described in detail.	NexGen notes that the information requested by the reviewer is contained within the Draft EIS. ▪ Baseline data for hydrogeology are provided in detail in Draft EIS Annex III (Hydrogeology Baseline Report). ▪ Baseline data for hydrology are provided in detail in Draft EIS Annex IV.1 (Regional Meteorological and Hydrological Characterization Report). ▪ Baseline data for surface water quality are provided in detail in Draft EIS Annex V.1 (Aquatic Environment Baseline Report).
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.	NexGen disagrees with the reviewer's comment suggesting that a proactive, preventative approach to water quality protection was not undertaken and that additional water quality protection measures and analyses are required for the EIS. Draft EIS Section 10.4 (Project Interactions and Mitigations) identifies the Project interactions (i.e., linkages) and proposed mitigation measures for the surface water quality assessment. Avoidance designs and actions integrated into the Project were developed iteratively between the Project's environmental and development teams and practicable mitigation measures were identified to avoid and minimize adverse effects on surface water quality. For Project interactions that may still have greater-than-negligible adverse effects to the environment, a residual effects assessment was then conducted (Draft EIS Section 10.5 [Residual Effects Analysis]). The residual effects assessment applied a precautionary approach to address uncertainty by identifying the greatest magnitude, duration, and geographic extent of potential adverse effects when a range of possible outcomes were possible (Draft EIS Section 10.2.10 [Prediction Confidence and Uncertainty]). Finally, a robust surface water quality monitoring plan would be implemented that includes monitoring of site contact water, treated effluent, and the surface water receiving environment, with the application of adaptive management, if necessary (Draft EIS Section 10.7 [Monitoring, Follow-Up, and Adaptive Management). As a robust approach to surface water quality management and assessment has been undertaken for the Project, no edits to the EIS are required.
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.	NexGen notes that monitoring programs and follow-up programs proposed for the Project are summarized in Draft EIS Appendix 23B (Environmental Assessment Monitoring and Follow-Up Programs Proposed for the Project), including for effects predicted for after Closure and into the far future. Additional details on monitoring programs will be developed during provincial permitting and federal licensing processes. No changes to the EIS are required.
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.	NexGen confirms that the existing information is contained within the Draft EIS. NexGen notes that, for the purposes of the EA, the surface water quality assessment assumed that the potentially acid generating (PAG) waste rock storage area (WRSA) high-density polyethylene liner fails following Closure (Draft EIS Section 10.2.4 [Temporal Boundaries]). Therefore, the EA conservatively assumes the worst-case scenario for potential effects resulting from the PAG WRSA.

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				NexGen also notes that the increase in copper in Patterson Lake in the far-future scenario is not predicted to have adverse effects on the health of aquatic organisms and fish (Draft EIS Section 11.5.2 [Application Case]) and human health (Draft EIS Section 15.6 [Risk Characterization and Significance Determination]). As described in Section 23.5.3 (Adaptive Management), NexGen is developing an Adaptive Management Plan to manage the specific issue of copper loading from the PAG WRSA to Patterson Lake in the far future. Monitoring and adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the PAG and non-PAG WRSAs during Operations and incorporating adaptive management into mitigation planning is expected to result in reduced mass loading compared to what was conservatively predicted in the far-future surface water quality assessment.
169.	CELA (October 12, 2022)		NexGen should provide 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.	NexGen confirms that a cost estimate for decommissioning and reclamation of the Project will be developed through provincial permitting and federal licensing processes.
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.	As described in Draft EIS Section 7.4.2.2.3 (Assessment Endpoints), the estimate of greenhouse gas (GHG) emissions focused on the emissions directly linked to the proposed Project. These emissions are classified as direct GHG emissions, as defined by *The GHG Protocol: A Corporate Accounting and Reporting Standard* (WRI and WBCSD 2013). The inclusion of direct GHG emissions is in accordance with the GHG assessment guidance developed by the CNSC (CNSC 2017). Consistent with the federal GHG reporting program for individual projects (ECCC 2020), GHG emissions that are a consequence of Project activities but occur from sources not financially or operationally controlled by the Project (e.g., emissions from waste, the extraction and production of purchased materials, business travel) (ISO 2006) have appropriately not been considered in this assessment. NexGen also notes that the Project is expected to significantly reduce GHG emissions to the environment. As stated in Draft EIS Section 1.2.1 (Purpose of the Rook I Project and Justification for Development), the Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy. **References** CNSC (Canadian Nuclear Safety Commission). 2017. Proposed CNSC Path Forward for Assessing Total GHG Production from Nuclear Facilities. Internal Document. Draft. E-Doc: 6515289. ECCC. 2020. Canada's Greenhouse Gas Quantification Requirements, Ver. 4.0. Greenhouse Gas Reporting Program. Available at https://publications.gc.ca/collections/collection_2021/eccc/En81-28-2020-eng.pdf. ISO. 2006. Greenhouse Gases - Part 1: Specification with Guidance at the Organization Level for Quantification and Reporting of Greenhouse Gas Emissions and Removals, 14064–1. WRI and WBCSD (World Resources Institute and World Business Council for Sustainable Development). 2013. The Greenhouse Gas Reporting Protocol: A Corporate Accounting and Reporting Standard.
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.	NexGen disagrees with the reviewer's comment suggesting that a terrain and soils cumulative effects assessment through a Reasonably Foreseeable Development (RFD) Case is required. As discussed in Draft EIS Section 12.2.5 (Assessment Cases), even when including 500 m buffers (i.e., the local study area boundaries for terrain and soils) for both the Project and Patterson Lake South Property maximum disturbance areas, effects from the proposed projects would not spatially overlap (i.e., the assessment is precautionary). The primary residual effects from the Project on terrain and soils are confined to the maximum disturbance area and secondary effects on soil quality from the deposition of dust and other particulate matter that may contain metals and acidic compounds are negligible and also mostly confined to the maximum disturbance area and local study area. Mitigation measures to be implemented by the Project are expected to avoid and minimize the Project's contribution to cumulative effects. It is also expected that the Fission Patterson Lake South Property would implement appropriate mitigation measures to avoid and minimize project-specific and cumulative effects.

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				Overall, there is negligible potential for cumulative effects on terrain and soils from the Project and Fission Patterson Lake South Property. Therefore, an RFD Case assessment is not required.
172.	CELA (October 12, 2022)		The EIS should include the habitat requirements for tracked bryophytes despite the lack of data available.	NexGen notes that the information requested by the reviewer is contained within the Draft EIS. A description of habitat types and conditions for bryophytes (mosses) and lichens may be found in Draft EIS Section 13.3.1.3 (Ecosystem Condition), Draft EIS Section 13.3.2.3 (Ecosystem Condition), and Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]). Also, mosses were described in the existing environment for traditional use plants (Draft EIS Section 13.3.4 [Traditional Use Plant Species Availability]) and were assessed for Project and cumulative effects Draft EIS Section 13.5.4 (Traditional Land Use Species).
173.	CELA (October 12, 2022)		The proponent should conduct studies of bryophyte habitat requirements to assist in filling in the gaps in knowledge.	NexGen notes that specific studies of habitat requirements for bryophytes are outside the scope of the *Canadian Environmental Assessment Act, 2012* and would not change confidence in the effects analysis and assessment conclusions. No studies are required for the purposes of the EA. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
174.	CELA (October 12, 2022)		The EIS should re-assess the wildlife VCs and include the following species as VCs: (a) Northern myotis; (b) Common nighthawk; (c) Barn swallow; and (d) River otter. 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.	NexGen disagrees with the reviewer's assertion that an updated assessment is required as the approach taken to select VCs in the Draft EIS aligns with regulatory guidance. NexGen also notes that because northern myotis, common nighthawk, and barn swallows are federally listed species, effects to these species were evaluated through a screening-level assessment that included cumulative effects and determination of significance (Draft EIS Appendix 14A [Species at Risk Screening Assessment]). NexGen also notes the following: ▪ Avoiding redundancy aligns with technical guidance for EAs: o "The state (health, status, or condition) of a species may be monitored because it is seen as an indicator species (i.e., a reflection of the state of the environment on a chosen scale). In an EA, it may be used as a surrogate to predict environmental effects on other species or another ecologically justifiable group if it provides a reasonably accurate prediction of effects and response on those other species/groupings." (IAAC 2022) o ". . . whether the potential effects of the project on the VC can be measured and/or monitored or would be better ascertained through the analysis of a proxy VC." (IAAC 2020) o "Sometimes, multiple candidate VCs may be affected by the project in the same or similar ways. In such cases, it may be appropriate to select only one of the candidate VCs for detailed analysis, to avoid redundancy in analysis. This is particularly true for biological VCs that may be members of the same guild or group of species that occupy a common ecological niche and display similar ecological functions and requirements." (BC EAO 2013) ▪ Avoiding redundancy was not the only factor considered in selecting valued components. Other factors considered included (Draft EIS Section 6.3.1 [Valued Components]): o potential for interaction with the Project and degree of interaction, including presence, abundance, and amount of spatial overlap of a VC with the Project; o sensitivity of a VC to potential Project effects and level of damage or harm that could be realized should an adverse effect occur; o species conservation status or concern (e.g., rarity, sensitivity, uniqueness); o Indigenous and Local Knowledge obtained from feedback during community engagement sessions for the Project and through discussions with the Joint Working Groups; o ecological and socio-economic/cultural value to communities, government agencies, and the public; o inclusion in Appendix C of REGDOC 2.9.1 (CNSC 2020); and o recent experience with similar projects in Saskatchewan and other jurisdictions in Canada. As a result, NexGen maintains that the scoping of wildlife and wildlife habitat VCs is appropriate for the EIS; no changes are required. **References**

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				BC EAO (British Columbia Environmental Assessment Agency). 2013. Guideline for the Selection of Valued Components and Assessment of Potential Effects. https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/eao-guidance-selection-of-valued-components.pdf. CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, version 1.2. Environmental Principles, Assessment and Protection Measures. September 2020. 63 pp. IAAC (Impact Assessment Agency of Canada). 2020. Tailored Impact Statement Guidelines Template for Designated Projects Subject to *the Impact Assessment Act*. https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/tailored-impact-statement-guidelines-projects-impact-assessment-act.html#_Toc15652126. IAAC. 2022. Technical Guidance for Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. March 2018. Version 2. https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/assessing-cumulative-environmental-effects-ceaa2012.html#toc004.
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.	NexGen confirms that insects were not assessed in Draft EIS Section 14.5.12 (Additional Species at Risk Screening Assessments). NexGen also confirms that federally listed arthropods were not located during baseline field studies. However, through discussion with Environment and Climate Change Canada, four species at risk arthropods (i.e., yellow-banded bumble bee, Ashton cuckoo bumble bee, transverse lady beetle, and nine-spotted lady beetle) will be added to the Final EIS through a screening level assessment similar to the assessment completed for the northern myotis, common nighthawk, and barn swallow (Draft EIS Appendix 14A [Species at Risk Screening Assessment]).
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.	NexGen confirms that it is in the process of developing the Caribou Mitigation and Offsetting Plan through engagement with the Saskatchewan Ministry of Environment, federal regulatory agencies, and local Indigenous Groups to meet legislated requirements and Indigenous management goals. NexGen notes that the Caribou Mitigation and Offsetting Plan will not be provided in the EIS as the provision of management plans is outside the scope of the requirements of an EA of a designated project under *Canadian Environmental Assessment Act, 2012*. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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).	As described in the Draft EIS, sensory disturbance on wildlife would be limited as much as practicable through application of a suite of mitigation measures (Draft EIS Section 14.4 [Project Interactions and Mitigations], Table 14.4-1). The use of cannons or sonic guns to deter waterbirds or other wildlife from contact water ponds would be applied as necessary and is expected to be infrequent. If deterrent actions are required, they would be applied using a hierarchical approach from least intrusive (e.g., people slowly approaching wildlife, talking loudly, then clapping hands) to more intrusive actions (e.g., using blow horns and finally cannons or sonic guns). NexGen notes that daily activities at the mine site are anticipated to result in avoidance of the core mine area and contact water ponds by wildlife.
178.	CELA (October 12, 2022)		A revised baseline study for the vegetation VC should be conducted to accurately reflect the established RSA	NexGen does not agree that a revised baseline study for the vegetation valued component (VC) is required. Rationale for the vegetation regional study area is provided in Draft EIS Section 13.2.3 (Spatial Boundaries) and supported by the existing conditions of VCs described in Draft EIS Section 13.3 (Existing Conditions) and the baseline data and ecosite classifications provided in Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]).
179.	CELA (October 12, 2022)		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:	NexGen confirms that the alternatives assessment information provided within the Draft EIS meets the requirements of *Canadian Environmental Assessment Act, 2012*; no further documentation in this regard will be included in the Final EIS. As noted in Draft EIS Section 4.5.7.1 (Selected Alternative), “compared to the on-site hybrid system option,

Environmental Impact Statement – Consolidated Comments from Indigenous Nations and Communities and the Public on the NexGen Rook I Project Draft EIS (For NexGen Response)

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			▪ 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	carrying an on-site LNG power plant through the EA was considered a more conservative approach (i.e., higher potential GHG emissions) while further evaluation on potential integration of a hybrid power system incorporating renewable energy is completed." **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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.	NexGen notes that mine ventilation is described in Draft EIS Section 5.4.1.7 (Mine Ventilation). The underground mine ventilation system has been designed to be a push-pull system (i.e., both surface intake fans and surface exhaust fans), with the exhaust fans representing the main driving fans. The main driving fans would be installed on the surface at the exhaust shaft, and the fresh air intake fans would be located at the production shaft. The intake ventilation fans would have a maximum design capacity of 460 m^3/s and exhaust fans would have a maximum design capacity of 440 m^3/s. This ventilation capacity is based on the requirement to provide adequate airflow for radiation control, diesel particulate matter dilution, dust control, and to maintain adequate air changes through all active areas.
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.	NexGen notes that the conventional waste (i.e., domestic solid waste, industrial waste, hazardous waste, and low-level radioactive waste) management for the Project is described in Draft EIS Section 5.4.6 (Conventional Waste Management). Further details on the management of conventional waste are outside the scope of *Canadian Environmental Assessment Act, 2012* and will be provided in the Waste Management Program, Conventional Waste Management Plan, and other management system documents for the Project, as required as part of provincial permitting and federal licensing requirements. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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.	NexGen notes that the requested information is contained within the Draft EIS. The assessments of transportation-related risks are provided in Draft EIS Section 21.7 (Assessment of Traffic-Related Risks) and Draft EIS TSD IX (Transportation Risk Assessment Report).
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?	NexGen notes that disposal of treatment residuals would be conducted in accordance with regulatory requirements and could include off-site or on-site disposal or land application as biosolids. Further details on the management of conventional waste, including solids generated by the sewage treatment plant, will be provided in the Waste Management Program, Conventional Waste Management Plan, and other management system documents for the Project, as required as part of provincial permitting and federal licensing requirements. NexGen further notes that definitions of domestic and industrial waste are provided in Draft EIS Section 5.4.6.1 (Domestic and Industrial Waste). Domestic waste for the proposed Project would include all non-industrial waste, non-hazardous waste, and non-low-level radioactive waste (LLRW) generated from the camp and office areas, including living quarters; coffee rooms; and kitchen, food preparation, and eating areas. Industrial waste for the proposed Project would include all non-domestic waste, non-hazardous waste, and non-LLRW generated from construction, commissioning, operation, and maintenance activities associated with the underground mine and process plant. Industrial waste would be composed of recyclable and non-recyclable materials, including cardboard (e.g., packaging), wood (e.g., pallets), metal (e.g., metal drums and containers), used tires, and plastics (e.g., piping). Details on the storage for these and other conventional waste streams for the Project are further described in Draft EIS Section 5.4.6 (Conventional Waste Management).
184.	CELA (October 12, 2022)		What are the identified ecosystems that are valued in this proposed mine site development?	NexGen notes that the reviewer's question was posed with respect to Draft EIS Section 6 (Environmental Assessment Approach and Methods), though the response is based on information provided in Draft EIS Section 13 (Vegetation), where information regarding ecosystems is provided in detail. ▪ The following vegetation ecosystem valued components (VCs) were selected for assessment (Draft EIS Section 13.2.2 [Valued Components, Measurement Indicators, and Assessment Endpoints]): o Upland ecosystems: selected because they are the basis for local biological processes, provide habitat for wildlife, and contribute to overall biodiversity. o Wetland ecosystems: selected because they are of conservation concern, sensitive to development, perform hydrological and biochemical cycling functions, provide habitat for fish and wildlife, and contribute to biodiversity.

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				o Riparian ecosystems: selected because they are of conservation concern and are sensitive to development, perform hydrological and biochemical cycling functions, provide fish habitat and movement corridors for wildlife, and contribute to biodiversity. NexGen confirms that information related to existing conditions for the vegetation ecosystem VCs is provided in Draft EIS Section 13.3 (Existing Conditions).
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?	NexGen notes that the Project effects related to noise and light are presented in the Draft EIS. ▪ Project effects related to noise are described in Draft EIS Section 7.3.5.1 (Application Case). The results showed that noise levels would increase at local receptors; however, noise levels would remain below all applicable regulatory thresholds. ▪ Project effects related to light are described in Draft EIS TSD XI (Light Effects Analysis Report). The results showed that light trespass levels at local receptors are predicted to be unchanged as a result of the Project and that skyglow could increase slightly at some local receptors. A dedicated wildlife trail to facilitate transit between waterbodies is not currently planned; however, this mitigation measure could be considered at a future date should monitoring show that significant adverse effects in this regard were occurring to wildlife.
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?	NexGen confirms that effects of the environment on the Project, including effects associated with climate change, are provided within the Draft EIS. ▪ Draft EIS Section 22 (Assessment of Effects of the Environment on the Project) includes a qualitative identification of whether the Project might be sensitive to the projected changes in climate conditions, including wildfire, drought, major precipitation events, severe snowstorms, tornado/severe thunderstorms, and extreme temperatures. ▪ Draft EIS Appendix 22B (Climate-Infrastructure Interactions) provides a summary of both potential interactions of climate events with the Project's infrastructure and design and climate vulnerabilities for Project activities during Construction, Operations, and Closure. Given that climate change is occurring but there remains uncertainty in future projections, NexGen would evaluate climate risks as a part of the continual improvement process, as outlined in the Climate Adaptation Framework (Draft EIS TSD XXII).

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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	NexGen notes that a fully comprehensive description of how the Project might fit within the transition to a sustainable energy future is out of scope of *Canadian Environmental Assessment Act, 2012* and that Draft EIS Section 4.2 (Purpose of the Project) and Draft EIS Section 4.3 (Alternatives to the Project) conform with Section 4.1 and Section 4.2, respectively, of the CNSC Generic Guidelines for the preparation of an EIS (CNSC 2021). As noted in Draft EIS Section 1.2.1 (Purpose of the Rook I Project and Justification for Development), the Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy. Providing a potential source of uranium would also support Saskatchewan's objective of developing lower carbon emission electricity generation over the next decade (Government of Saskatchewan 2019). **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. CNSC (Canadian Nuclear Safety Commission). 2021. Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to the *Canadian Environmental Assessment Act, 2012*. Available at http://cnsc.gc.ca/eng/resources/environmental-protection/ceaa-2012-generic-eis-guidelines.cfm. Government of Saskatchewan. 2019. Saskatchewan's Growth Plan. The Next Decade of Growth: 2020-2030. November 2019.
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.	NexGen confirms there are examples of deep underground storage of tailings, including uranium mine tailings. Cemented tailings backfill is extensively used in Canadian underground mines and in many parts of the world and its use is increasing as it offers a number of technical and economic benefits (Lerche and Renetzeder 1984; Landriault et al. 1997; Hassani and Archibald 1998; Fall and Benzaazoua 2003). Specifically related to uranium tailings, the use of tailings as backfill in underground mines was first recorded in South Africa in the early 1900s. Backfilling, or the disposal of spent uranium mill tailings in empty mine stopes, was practiced in the Grants Mineral Belt of New Mexico for nearly 20 years (Thompson and Heggen 1984) and has been considered as an option for mines in Canada, Australia, the Ukraine and Germany (IAEA 2004). Cemented tailings backfill was also used at the Jaduguda uranium mine in India, which first operated in 1967 (Khan et al. 2002). Although mining operations were suspended in 2014, the surrounding environment up to 25 km from the uranium mining and milling complex is regularly monitored for external gamma radiation, atmospheric radon, radionuclides, and chemical toxins in receiving surface water and in well water around tailings ponds and soil (Tripathi et al. 2008). The Health Physics Division with Environmental Survey Laboratory, an independent agency of the Bhabha Atomic Research Centre established at the site, maintains a comprehensive surveillance of the environment around the mines, mill, and the tailings pond to evaluate the effectiveness of control measures, assess the environmental impacts, and ensure regulatory compliance (Tripathi et al. 2008). Monitoring of mining and milling of uranium ore since the beginning of the Jaduguda operations has demonstrated that underground storage has been effective in controlling the environmental releases of radioactivity; the radionuclides and chemical pollutants in the environment are found to be well within the prescribed limits (Tripathi et al. 2008). A study by the International Atomic Energy Agency (IAEA 2004) indicates that underground tailings storage has many advantages for long-term secure tailings storage, but economics and mine scheduling have limited the opportunities to put the technology in practice. For example, at Elliot Lake in Canada, the disposal of tailings to underground mine workings was considered; however, the option was rejected on the basis of cost (IAEA 2002). Recent studies on the feasibility of uranium tailings for cemented backfill demonstrate that cemented backfill of uranium tailings has a low cost, which could help promote use of the technology in uranium mines and mills (Zhang et al. 2023). Additional benefits include improved regional and local rock stability through the support provided by the backfill, reduced costs of building substantial tailings disposal structures on the surface, and the reduced environmental impacts by containing waste material underground (Rankine et al. 2007). Backfilling with rock or cemented tailings also improves the structural stability of the underground mine workings (IAEA 2002; Rankine et al. 2007). The addition of a stabilizing agent, such as cement, to the tailings prior to their deposition

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				underground can significantly reduce the permeability of the tailings mass and slow the transport of contaminants to porewater (Rankine et al. 2007). Numerous studies have been completed on the stability of cemented binders used for backfilling uranium tailings. Experts indicate backfilling with cemented uranium tailings can effectively avoid the environmental and safety problems of surface storage of uranium tailings (Wang et al. 2020). A study by Thompson et al. (1984) indicated long-term effects on groundwater quality were very small from underground disposal of tailings from acid-leach milling of uranium ores. The geochemical characterization studies in Draft EIS TSD XV (Tailings Source Term Derivation) and Draft EIS TSD XVI (Tailings Characterization Report) provide the geochemical estimation of how the tailings would behave for the Project. Draft EIS Section 23.4.1 (Environmental Management) provides an overview of the monitoring and management plans that would be developed as part of the Project Integrated Management System related to environmental protection, with proposed EA monitoring and Follow-up Programs for the Project summarized in Draft EIS Appendix 23B. **References**: Hassani, F., Archibald, J., 1998. Mine Backfill, CD-Rom, Canadian Institute of Mine, Metallurgy and Petroleum, Montreal, Que., 1998. IAEA (International Atomic Energy Agency). 2002. Management of Radioactive Waste from the Mining and Milling of Ores. Available at https://www-pub.iaea.org/mtcd/publications/pdf/te_1403_web.pdf. IAEA. 2004. The long term stabilization of uranium mill tailings. IAEA-TECDOC-1403. Available at https://www-pub.iaea.org/mtcd/publications/pdf/te_1403_web.pdf. Khan, A.H., S.K. Basu, V.N. Jha, S. Jha, R. Kumar. 2002. Assessment of Environmental Impact of Mining and Processing of Uranium Ore at Jaduguda, India. IAEA-SM-362/19. Landriault, D., Verburg, R., Cincilla, W., Welch, D. 1997. Paste technology for underground backfill and surface tailings disposal applications. Short Course Notes – Technical Workshop, Vancouver, BC, 121 pp. Lerche, R., Renetzeder, H. 1984. Development of 'pumped fill' at Grund Mine, Preussag AG Metall. In: Proceedings of the 9th International Conference on The Hydraulic Transport of Solids in Pipes, Rome, Italy, 24 pp. Rankine, R., M. Pacheco, N. Sivakugan. 2007. Underground Mining with Backfills. Soils and Rocks. May 2007. Thomson, B.M., Heggen, R.J. 1984. Uranium mill tailings backfill management. Final report New Mexico Univ., Albuquerque (USA). Dept. of Civil Engineering. Thompson, B., P. Longmire, D. Brookins. 1986. Geochemical constraints on underground disposal of uranium mill tailings. Applied geochemistry, volume 1l, issue 3, May – June 1986. Tripathi, R.M., S.K. Sahoo, V.N. Jha, A.H. Khan, V.D. Puranik. 2008. Assessment of environmental radioactivity at uranium mining, processing and tailings management facility at Jaduguda, India. Applied Radiation and Isotopes, Volume 66 Issue 11, November 2008. Wang, F., G. Chen, L. Ji, Z. Yuan. 2020. Preparation and Mechanical Properties of Cemented Uranium Tailing Backfill Based on Alkali-Activated Slag. Available at https://www.thefreelibrary.com/Preparation+and+Mechanical+Properties+of+Cemented+Uranium+Tailing...-a0627597306. Zhang, X., X. Xue, D. Ding, Y, Gu, P. Sun. 2023. Feasibility of uranium tailings for cemented backfill and its environmental effects. Science of the Total environment, volume 83, 10 March 2023.
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.)	Data for cemented paste backfill longevity is limited because the material only started being used in the past few decades. Monitoring is also limited since backfill has generally only been used for physical stability of mine workings during operations, which is generally not a concern after the mine is closed. Cement breaks down mainly due to

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				environmental weathering (e.g., water, freeze-thaw), which would be limited deep underground (i.e., where the Project mine workings and underground tailings management facility would be located – below surface within competent basement rock). Chemical breakdown is possible by acids and salts (from acids and bases); however, the oxidation process in tailings that could create acids and salts would also be slowed in the post-closure mine workings and underground tailings management facility, both of which would be allowed to re-flood post-closure, with the backfilled materials becoming inundated. Therefore, it is expected that the cemented paste backfill would have better structural integrity underground than on surface.
190.	SES (October 12, 2022)		Have studies been done to determine the effect on mobility of the tailings components when the concrete breaks down?	NexGen has completed geotechnical and geochemical characterization on the cement paste backfills and cement paste tailings 'recipes' based on the different geotechnical strength requirements in the production stopes (i.e., mine workings) and underground tailings management facility. These recipes have been studied and tested to meet requirements to maintain the long-term geotechnical stability of the cured cement backfill and tailings. The same recipes have been tested geochemically for long-term effects; specifically, for metal leaching characteristics. These studies included evaluating the worst-case source terms, which represented the conditions where the cemented backfill fails geochemically. The worst-case source terms were used in the EA groundwater modelling to estimate the impact on the Patterson Lake system. Overall, no significant adverse effects are predicted as a result of constituents of potential concern migrating from the underground tailings to Patterson Lake through groundwater.
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)?	As presented in Draft EIS Section 8 (Hydrogeology) and Draft EIS TSD XV (Tailings Source Term Derivation Report), the underground tailings management facility would be located in competent crystalline basement rock that provides increased geotechnical stability and reduced hydraulic conductivity compared to the Athabasca Sandstone. In locations of high permeability strata (i.e., Cretaceous sandstone) a hydrostatic liner would isolate mine workings from groundwater inflows. It would neither be practical nor safe to install liners in underground chambers, nor does it provide additional environmental benefits from a source term mass loading perspective.
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?	NexGen confirms that Draft EIS TSD XV (Tailings Source Term Derivation Report) provides the geochemical characterization and leachability of the cemented paste backfill. Estimated porewater chemistries for the underground mine stopes and underground tailings management facility are generally characterized by highly alkaline drainage (i.e., pH greater than 10), sulphate-calcium-sodium dominated ion composition, and elevated metals and radionuclides (e.g., aluminum, cadmium, iron, molybdenum, lead-210, radium-226). The source terms were developed to be conservative to account for input uncertainties. NexGen confirms that, as presented in the Draft EIS, the assessment, which included conservative source terms as described above, concluded that there would be no significant effects to valued components as a result of the underground storage of tailings.
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?	NexGen notes that conservative estimates were used in the groundwater flow model; therefore, it is not anticipated that potential effects would be greater than predicted. Should the Project be approved, there will be a validation and monitoring program implemented during Operations and Closure to verify the performance of the cemented paste backfill and cemented paste tailings. Additional information will also be gained on ground conditions during Construction and Operations to reduce uncertainty in the predictions (e.g., additional mapping of fractured networks to validate the predictions made regarding flow of groundwater). The validation and monitoring program would be implemented during Construction and Operations so that corrective actions (if required) can be identified early in the Project life. This provides a mechanism to adjust Project designs and mitigation prior to Closure, if required. Adaptive management plans would be developed for the Project as part of future permitting and licensing phases (as applicable); however, examples of potential mitigations could include creating a zone of enhanced permeability, pumping and treatment of groundwater, or chemical treatment of the backfill. Based on the information provided above, it would be highly unlikely that contaminant of potential concern migration through groundwater would show higher concentrations or occur faster than expected. However, in the unlikely event this occurred, management options would be explored at that time. NexGen confirms that a Transitional Monitoring Stage would be required for the Project; this stage would continue until monitoring and reporting verifies that the performance criteria have been met. Once the performance criteria have been verified and NexGen has been released from the CNSC licence, and upon Provincial approval, the land would be transferred under Provincial management through the Institutional Control Program.
194.	SES (October 12, 2022)		Have the feasibility, effectiveness, and costs of potential groundwater contamination adaptive management options been determined?	No feasibility, effectiveness, or costs of potential groundwater contamination adaptive management options have been assessed at this point in Project development. NexGen notes that the long-term risk is low, though once operating data are acquired, NexGen would determine if any further mitigation measures are required.

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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.	NexGen notes that although the Project greenhouse gas (GHG) emissions estimate within the EA does not include off-site transportation emissions, the calculation of Project GHG emissions within the EA followed the CNSC guidance for assessing GHGs from nuclear facilities (CNSC 2017) and Canada's Greenhouse Gas Quantification Requirements, V.4.0 (ECCC 2020). Therefore, no changes to the EIS are required. NexGen further notes that the Project is expected to significantly reduce GHG emissions to the environment. As stated in Draft EIS Section 1.2.1 (Purpose of the Rook I Project and Justification for Development), the Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy. NexGen confirms that, should the Project produce GHG emissions over the 10 kt annual threshold, federal GHG reporting would be required (Draft EIS Section 7.4.8 [Monitoring, Follow-Up, and Adaptive Management]). **References** CNSC (Canadian Nuclear Safety Commission). 2017. Proposed CNSC Path Forward for Assessing Total GHG Production from Nuclear Facilities. Internal Document. Draft. E-Doc: 6515289. ECCC (Environment and Climate Change Canada). 2020a. Canada's Greenhouse Gas Quantification Requirements, Ver. 4.0. Greenhouse Gas Reporting Program. Available at https://publications.gc.ca/collections/collection_2021/eccc/En81-28-2020-eng.pdf.
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.	NexGen notes that cement would be produced off site, which is out of scope for the Project greenhouse gas (GHG) emissions estimate. The calculation of Project GHG emissions within the EA follows the CNSC guidance for assessing GHGs from nuclear facilities (CNSC 2017) and Canada's Greenhouse Gas Quantification Requirements, V.4.0 (ECCC 2020). Therefore, no changes to the EIS are proposed. NexGen further notes that the Project is expected to significantly reduce GHG emissions to the environment. As stated Draft EIS Section 1.2.1 (Purpose of the Rook I Project and Justification for Development), the Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy. NexGen confirms that, should the Project produce GHG emissions over the 10 kt annual threshold, federal GHG reporting would be required (Draft EIS Section 7.4.8 [Monitoring, Follow-Up, and Adaptive Management]). **References** CNSC (Canadian Nuclear Safety Commission). 2017. Proposed CNSC Path Forward for Assessing Total GHG Production from Nuclear Facilities. Internal Document. Draft. E-Doc: 6515289. ECCC (Environment and Climate Change Canada). 2020a. Canada's Greenhouse Gas Quantification Requirements, Ver. 4.0. Greenhouse Gas Reporting Program. Available at https://publications.gc.ca/collections/collection_2021/eccc/En81-28-2020-eng.pdf.
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.	NexGen notes that the Project greenhouse gas (GHG) emissions estimate within the EA does not include the production and transportation of liquified natural gas (LNG) to be used as a fuel source; however, the calculation of Project GHG emissions within the EA follows the CNSC guidance for assessing GHGs from nuclear facilities (CNSC 2017) and Canada's Greenhouse Gas Quantification Requirements, V.4.0 (ECCC 2020). Therefore, no changes to the EIS are required. NexGen further notes that the Project is expected to significantly reduce GHG emissions to the environment. As stated Draft EIS Section 1.2.1 (Purpose of the Rook I Project and Justification for Development), the Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy.

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				NexGen confirms that, should the Project produce GHG emissions over the 10 kt annual threshold, federal GHG reporting would be required (Draft EIS Section 7.4.8 [Monitoring, Follow-Up, and Adaptive Management]). **References** CNSC (Canadian Nuclear Safety Commission). 2017. Proposed CNSC Path Forward for Assessing Total GHG Production from Nuclear Facilities. Internal Document. Draft. E-Doc: 6515289. ECCC (Environment and Climate Change Canada). 2020a. Canada's Greenhouse Gas Quantification Requirements, Ver. 4.0. Greenhouse Gas Reporting Program. Available at https://publications.gc.ca/collections/collection_2021/eccc/En81-28-2020-eng.pdf.
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?	NexGen confirms that a carbon offset plan as a mitigation for greenhouse has (GHG) emissions will not be provided in the Final EIS. Draft EIS TSD XII (Net Zero Framework) provides the framework for reducing emissions to continually improve Project effects. NexGen notes that the Project is expected to significantly reduce GHG emissions to the environment. As stated in Draft EIS Section 1.2.1 (Purpose of the Rook I Project and Justification for Development), the Project could meaningfully contribute to the Government of Canada's ability to meet its environmental obligations and commitments with respect to climate change by displacing high-GHG intensity fossil fuel (e.g., coal, natural gas) electricity generation in favour of low-GHG emitting, green energy.
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	NexGen notes that Draft EIS Appendix 6A (Climate Change Road Map) outlines where and how climate change was considered throughout the EIS. NexGen confirms that effects of the environment on the Project, including effects associated with climate change, are provided within the Draft EIS: ▪ Draft EIS Section 22 (Assessment of Effects of the Environment on the Project) includes a qualitative identification of whether the Project might be sensitive to the projected changes in climate conditions, including wildfire, drought, major precipitation events, severe snowstorms, tornado/severe thunderstorms, and extreme temperatures. ▪ Draft EIS Appendix 22B (Climate-Infrastructure Interactions) provides a summary of both potential interactions of climate events with the Project's infrastructure and design and climate vulnerabilities for Project activities during Construction, Operations, and Closure. Given that climate change is occurring but there remains uncertainty in future projections, NexGen would evaluate climate risks as a part of the continual improvement process, as outlined in the Climate Adaptation Framework (Draft EIS TSD XXII).
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?	NexGen confirms that the guidelines used to set the Project drinking water thresholds for lead-210 and radium-226 were sourced from the Health Canada drinking water guidelines (Health Canada 2022) as the preference was to use Canadian drinking water guidelines, where available. World Health Organization guidelines were only used where Canadian drinking water guidelines were not available for a constituent of potential concern. Canadian guidelines are the appropriate guidelines to be used for the Project. **References** Health Canada. 2022. Guidelines for Canadian Drinking Water Quality—Summary Tables. Water and Air Quality Bureau, Healthy Environments and Consumer Safety Branch, Health Canada, Ottawa, Ontario.
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.	NexGen confirms that the Project has been designed such that the site water management approach and systems are focused on adherence to water quality guidelines (to the extent possible) and for the protection of aquatic life. This follows best industry practice and is intended to comply with environmental protection requirements that will be set for the Project. No changes are required in the Final EIS.
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.	NexGen confirms that a multi faceted (i.e., multi-method) approach to conventional waste management that includes material reuse and recycling, incineration, underground disposal, and off-site diversion (i.e., reuse and recycle) and disposal would be undertaken for the Project (Draft EIS Section 5.4.6 [Conventional Waste Management]). Waste management for the Project will aim to minimize waste production and reuse and recycle materials to the extent practical; however, NexGen is not committing to a zero-waste goal. Therefore, no changes are required in the Final EIS.

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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.	NexGen confirms that combined heat and power options have been and will continue to be considered in Project design where the potential exists for this technology. This approach is reflected in Project commitments to "recover heat from the liquified natural gas power plant exhaust and use to heat other process and ancillary buildings, to the extent practical" and "use excess steam generated from the acid plant to heat other process buildings, to the extent practical" (Draft EIS Section 23 [Summary of Mitigation, Monitoring, and Follow-up Programs]). NexGen confirms that a tradeoff study was completed to assess heat recovery from the LNG generators and will be evaluated further during detailed design, if needed. Heat recovery would reduce GHG emissions indirectly. The energy in the form of waste heat generated from the acid plant could also be re-used in heating the process plant. To follow a conservative EA approach where potential adverse effects are not underestimated, and because the use of combined heat and power options are uncertain at this time, the Draft EIS did not include any heat recovery to support power supply demand assumptions. For this same reason, no changes will be completed in the Final EIS.
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?	The selection of vegetation, wildlife, and aquatic valued components (VCs) followed conventional EA methods. For vegetation, the application of both coarse- and fine-filter approaches to the selection of VCs is consistent with feedback received during engagement regarding the value that Indigenous Groups place both on individual components (e.g., plant species) and the broader environment (e.g., ecosystems). A coarse-filter approach focuses on protecting the structure of an ecosystem as a whole. Assessing and managing biodiversity at the ecosystem level allowed large numbers of biodiversity elements to be addressed together. To complement the assessment of vegetation ecosystems, a fine-filter approach (i.e., an approach that focuses on protecting particular components within an ecosystem) was applied by assessing effects on plant species identified as important by Indigenous Groups (i.e., traditional use plant species) for food, medicinal, ceremonial, or other purposes. Wildlife VCs were selected to focus the assessment on the primary areas of concern with respect to the Project. Selection of wildlife VCs was also informed by Indigenous and Local Knowledge shared during community engagement sessions, Joint Working Group (JWG) meetings, and Indigenous Knowledge and Traditional Land Use (IKTLU) Studies. Some of the wildlife VCs selected for assessment represent conservation values that extend beyond the species itself (i.e., indicator, umbrella, or keystone species) or are highly interactive and have a large influence on the ecosystem (e.g., woodland caribou, grey wolf). Identification of wildlife VCs included federally and provincially listed species at risk that have the potential to interact with the Project. In cases where effects would be similar for multiple wildlife species that use similar habitats, only one species was selected as a VC to reduce ecological and assessment redundancy. Similar to wildlife VCs, aquatic (i.e., fish) VCs were selected to focus the assessment on the primary areas of concern with respect to the Project and were informed by Indigenous and Local Knowledge shared during community engagement sessions, JWG meetings, and IKTLU Studies. Four fish species were ultimately selected as VCs for assessing the effects of the Project on fish and fish habitat. These species were selected because they were frequently noted by Indigenous Groups and local priority area communities during engagement as having high value and traditional and cultural importance. These species also represent important ecosystem processes within the local aquatic environment as they are relatively abundant in Patterson Lake, other nearby lakes, and/or in the Clearwater River, and occupy various habitat niches and trophic positions in the food web. The approach as summarized above and described further in Draft EIS Section 13.2.2.1 (Valued Components) allowed for a practical, yet comprehensive assessment. Mitigation measures for the selected subset of species and ecosystems typically captures the breadth of practical mitigations needed to protect species of conservation concern and biodiversity.
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?	NexGen confirms that benthic invertebrates were incorporated into the environmental risk assessment and the fish and fish habitat assessment. Benthic invertebrates are also legally required for the ongoing environmental monitoring program under the Metal and Diamond Mining Effluent Regulations. Terrestrial invertebrates are impractical to assess other than species at risk as there is insufficient literature and regional information on terrestrial invertebrates as indicators. NexGen further confirms that a screening-level assessment of four insect species at risk (i.e., Ashton cuckoo bumble bee, yellow-banded bumble bee, transverse lady beetle, and nine-spotted lady beetle) will be included in Final EIS Appendix 14A (Species at Risk Screening Assessment). **References** Metal and Diamond Mining Effluent Regulations. SOR/2002-222 under the *Fisheries Act*. Last amended 18 June 2020. Available at https://laws-lois.justice.gc.ca/eng/Regulations/SOR-2002-222/index.html.

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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?	NexGen confirms that, following the selection criteria described in Draft EIS Section 6.3.1 (Valued Components), raptors, fish-eating birds, mustelids, and small rodents were not identified as valued components (VCs) as they were represented by other VCs or not identified as important by Indigenous Groups. However, NexGen notes that the groups of birds and mammals referenced by the reviewer were considered in the environmental risk assessment.
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.	NexGen confirms that the Clearwater River Provincial Park and Canadian Heritage River were considered as candidate valued components; however, they were ultimately not selected as valued components as the Clearwater River Provincial Park and Canadian Heritage River are not anticipated to be adversely affected by the Project. Therefore, no changes to the Final EIS are required.
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.	Environmental Committees have been formed in accordance with the terms of Benefit Agreements negotiated between NexGen and the primary Indigenous Groups. The Environmental Committee structure has been established through direct discussion with each primary Indigenous Group, with each Environmental Committee being composed of four representatives (i.e., two from NexGen and two from the Indigenous Group party to the agreement). Candidates are selected based on seniority and qualifications including their experience and understanding of the mining sector. In addition to work conducted between NexGen and the primary Indigenous Groups as part of the respective Environmental Committees and regular reporting required as part of provincial and federal regulatory requirements, NexGen has and will continue to participate in broader committees and initiatives to share information on the Project, including environmental performance, through mechanisms such as the Northern Saskatchewan Environmental Quality Committee and community information sessions.
209.	SES (October 12, 2022)		Who will determine how long these Environmental Committees and Monitors will be maintained and funded?	Through the Benefit Agreements signed between NexGen and the primary Indigenous Groups, NexGen will provide funding for reasonable costs to support agreed-upon activities of the Environmental Committees and Indigenous monitor positions, which are planned to occur throughout the Project lifespan.
210.	SES (October 12, 2022)		Will the Committees have funding to conduct independent studies if they feel these are necessary?	Through the Benefit Agreements signed between NexGen and the primary Indigenous Groups, NexGen will provide funding for reasonable costs to support agreed-upon activities of the Environmental Committee. Under this arrangement, funding could be allocated for independent studies, if deemed necessary.
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?	NexGen confirms that the selection of the independent Indigenous monitor is at the sole discretion of the associated primary Indigenous Group. On this basis, an independent Indigenous monitor could be either Indigenous or non-Indigenous.

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212.	Ya' Thi Néné Lands and Resources (YNLR) (October 12, 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.	NexGen confirms that the YNLR and their communities are appropriately acknowledged within the Draft EIS. As examples, Figure 2.4-1 of Draft EIS Section 2.4 (Indigenous Group and Stakeholder Identification) and Figure 3.2-1 of Draft EIS Section 3.2.2 (Local Priority Area Communities) show the Fond du Lac Denesųłiné First Nation and Black Lake Denesųłiné First Nation. Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement) provides a rationale for the YNLR being identified as an Indigenous Group that should be engaged on an information-sharing level. Draft EIS Section 3.5.2 (Indigenous Knowledge and Traditional Land Use Studies) speaks to Indigenous Knowledge and Traditional Land Use Studies (IKTLUs) representing a key source of Indigenous Knowledge for the EA, including the IKTLU completed by the YNLR. In addition to the engagement and Indigenous Knowledge sources discussed above, Indigenous and Local Knowledge provided by the YNLR was incorporated throughout the EIS, including in the discipline assessment sections (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-being]). Where YNLR Indigenous Knowledge was applied within the EIS, the citation "TSD VI: YNLR" appears to denote the information used. NexGen is aligned with the YNLR in its desire to maintain a collaborative and mutually beneficial relationship. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
213.	YNLR (October 12, 2022)	General	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. 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.	NexGen maintains that a comprehensive EA has been completed for the Project and is confident that potential effects on people or the environment have been appropriately characterized. NexGen disagrees with the YNLR's assessment that valued components (VCs) were poorly selected. The selection of VCs followed well-established regulatory guidance and considered the following factors (Draft EIS Section 6.3.1 [Valued Components]): ▪ The potential for interaction with the Project and degree of interaction, including presence, abundance, and amount of spatial overlap of a VC with the Project. ▪ The sensitivity of a VC to potential Project effects and level of damage or harm that could be realized should an adverse effect occur. ▪ Species conservation status or concern (e.g., rarity, sensitivity, uniqueness). ▪ Indigenous and Local Knowledge obtained from feedback during community engagement sessions for the Project in La Loche, Turnor Lake, Buffalo River, and Buffalo Narrows; information provided by IKTLU Studies (TSD II: BNDN; TSD III: BRDN; TSD IV: MN-S; TSD V.1: CRDN; TSD VI: YNLR) and obtained through discussions with the Joint Working Groups. ▪ Ecological and socio-economic/cultural value to communities, government agencies, and the public. In addition, NexGen disagrees that the assessment analyses were largely selective and qualitative as assessments were quantitative wherever possible and qualitative where necessary. Most of the discipline assessments in the EA used quantitative analyses and/or numerical modelling to assess Project and cumulative effects (i.e., air quality, noise, climate change, hydrogeology, surface water quantity, surface water quality and sediment quality, terrain and soils, vegetation, wildlife and wildlife habitat, human health, economy, and accidents and malfunctions). Other assessments such as Indigenous land and resource use, other land and resource use, and community well-being appropriately used both quantitative and qualitative assessment methods, as determining effects on these people-based assessments must consider both statistical and human experience factors. NexGen also disagrees that there were erroneous conclusions for certain VC assessments. As noted in Draft EIS Section 24.3 (Scope and Approach of the Environmental Assessment), the EA was conducted in a careful and precautionary manner to avoid or mitigate possible environmental effects. For example, where Project effects could vary over time, assessments were completed for those phases or periods (i.e., temporal snapshots) of the Project when adverse effects were predicted to be most pronounced (Draft EIS Section 6.4.2 [Temporal Boundaries]). In addition, if a mitigation was considered to represent new or unproven technology or challenging to implement under certain conditions, then the mitigation was not assumed to remove Project effects (Draft EIS Section 6.10 [Prediction Confidence and Uncertainty]). Considering the precautionary approach undertaken and the use of conservative assumptions throughout the EA, there is a moderate to high level of confidence that the effects on VCs and have not been underestimated (Draft EIS Section 24.4.3 [Assessment Confidence]). With respect to the example provided by the reviewer, NexGen confirms that the increased density of people resulting from Project activities, including the presence of workers on site in work camps, were included in the fish and fish habitat (Draft EIS Section 11.4.2 [Secondary Pathways]) and wildlife and wildlife habitat (Draft EIS Section 14.4.2 [Secondary

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				Pathways]) assessments, as well as multiple other discipline assessments (e.g., vegetation, Indigenous land and resource use, other land and resource use). NexGen also notes that the reviewer's statement regarding the baseline studies showing overharvesting is occurring in several of the area lakes, is incorrect. The baseline fish and fish habitat field studies were conducted to characterize the aquatic environment within the anticipated area of the Project and specifically to document fish community composition and relative abundance (Draft EIS Annex V.1 [Aquatic Environment Baseline Report]). The results provide information on species presence and relative abundance (e.g., how common a species is to others within the same lake), though do not evaluate the effects of fish harvesting within the waterbodies or watercourses assessed. Finally, NexGen would also like to note that the company has conducted significant engagement with local Indigenous Groups and communities, regulatory agencies, and stakeholders to help facilitate the development of a quality Project. Key examples include minimizing the Project footprint, storing tailings underground in a cemented form, and planning for independent Indigenous monitoring throughout the Project lifespan. This approach, in addition to NexGen's vision and values and the associated paradigms adopted by the Project development team, as well as the conservative approach undertaken in the EA, has resulted in a comprehensive EA that accurately characterizes potential effects on people or the environment.
214.	YNLR (October 12, 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.	NexGen is in the process of developing a Caribou Mitigation and Offsetting Plan (CMOP) through engagement with the Saskatchewan Ministry of Environment, federal regulatory agencies, and primary Indigenous Groups to meet legislated requirements and align with Indigenous goals. The schedule for completion of the CMOP is largely reliant on the timing of collaborative efforts between all parties contributing to the CMOP development. NexGen notes that only 32.1 ha of high- and low-suitability habitat would be loss as a result of the Project. With the limited Project effects and by meeting the provincial requirements for caribou mitigation and offsetting, the effects of the Project can be mitigated. NexGen welcomes YNLR comments on the Caribou Mitigation and Offsetting Plan as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder. NexGen notes that a condition of the 8 November 2023 provincial EA approval for the Project requires NexGen to submit a woodland caribou mitigation and offset plan to the ENV prior to initiating construction of the Project. In addition, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
215.	YNLR (October 12, 2022)	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 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.	Detailed scoping and development of the environmental monitoring program for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen's monitoring plans as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
216.	YNLR (October 12, 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".	NexGen maintains that the categorization of the YNLR as an 'other Indigenous Group' is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to

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				Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
217.	YNLR (October 12, 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 Denesųłiné (AD) communities: Black Lake Denesųłiné First Nation, and Fond du Lac Denesųłiné First Nation. Another of the communities represented by YNLR is Hatchet Lake Denesųłiné First Nation who is a signatory to Treaty 10, like many of the other Indigenous communities discussed within the NexGen EIS.	NexGen acknowledges the reviewer’s comment.
218.	YNLR (October 12, 2022)	Section 1.2.2 Section 2.4	The EIS states that: “There are currently no land use plans that encompass the Project location”. (p 1-19) 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 Denesųłiné 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.	NexGen notes that the land use plan reference in Draft EIS Section 1.2.2 (Project Location and Setting) is defined as land use plans that have been implemented by the Government of Saskatchewan. Currently, there are no such land use plans that encompass the Project location. NexGen acknowledges that the Athabasca communities have developed a land use plan and that the Multiple Use Zone of the plan includes the Project (Section 3.4 in Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment).
219.	YNLR (October 12, 2022)	Section 1.2.2	Figures 1.2-1, 1.2-2, and 1.2-3 show the Athabasca Denesųłiné reserves but do not name the First Nations or show community locations. Further, the maps do not show the Athabasca Denesųłiné 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 organization’s through the Prince Albert Grand Council. This information was contained within the report - Provision of Athabasca Denesųłiné 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 Denesųłiné traditional territory here as Figure 2.	NexGen notes that Figure 1.2-1 and 1.2-2 in Draft EIS Section 1.2.2 (Project Location and Setting) are intended to focus on the Project location at different scales rather than portray community locations. With respect to Figure 1.2-3 in Draft EIS Section 1.2.2, the level of community information presented is consistent within the figure. NexGen also notes that it was not NexGen’s intent to provide traditional territories in Draft EIS figures; rather, First Nation treaty information and the Métis Nation – Saskatchewan (MN-S) region information (e.g., MN-S Northern Region 2) are included within the Draft EIS.
220.	YNLR (October 12, 2022)	Section 1 Section 2 Section 3	Unfortunately, NexGen did not seek to involve Athabasca Denesųłiné until May 2019. In 2020, the Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – was prepared by the Athabasca Denesųłiné with financial support from NexGen. This report provided an overview of the Athabasca Denesųłiné (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 Denesųłiné, and potential impacts related to the NexGen Rook 1 Project and industrial development in general.	NexGen notes that, as no question has been posed, the following response is intended to provide context to the items stated by the reviewer. NexGen maintains that appropriate Indigenous engagement has been undertaken for the Project. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), prior to Project exploration commencing in 2013, NexGen engaged and established relationships with local Indigenous communities, particularly those closest to the Project: the Clearwater River Dene Nation and Métis Local 39 (La Loche). This included both formal engagement with elected leadership and community representatives, as well as informal involvement including participation in community events and initiatives. Over time, engagement activities expanded, with discussion and direct correspondence being conducted with Indigenous Groups and communities more broadly, such as engagement with the Athabasca Denesųłiné.

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				NexGen appreciates the information provided by the Athabasca Denesųłiné in the Traditional Knowledge and Land Use and Occupancy Report and confirms that this information supported many elements in the EIS including but not limited to: ▪ identification and selection of valued components; ▪ identification of assessment endpoints; ▪ existing conditions; and ▪ pathways analyses.
221.	YNLR (October 12, 2022)	Section 1.2.3	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 Denesųłiné 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 Denesųłiné were not involved in the early stages NexGen indicates commenced in 2013.	NexGen maintains that the process to determine the level of engagement to be conducted with Indigenous Groups and the scope of the local priority area (LPA) are appropriate. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). NexGen notes that the reviewer's assertion that the LPA is based on the timing of Indigenous Group engagement is incorrect. As noted by the reviewer, the LPA was defined based on the Indigenous Groups and communities that would most likely be affected by the proposed Project. As effects to the YNLR are anticipated to be minimal, the YNLR communities were not included within the LPA. Although the YNLR were not included in the LPA, since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
222.	YNLR (October 12, 2022)	Section 1.2.3 Section 3	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 community or its people to be 'most likely affected'. The Athabasca Denesųłiné 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 Denesųłiné 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).	NexGen notes that the local priority area (LPA) has been defined based on the Indigenous Groups and communities that would most likely be affected by the proposed Project. Road access was only one consideration when determining the potential of the Project to affect Indigenous Groups. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As effects to the Athabasca Denesųłiné are anticipated to be minimal, the Athabasca Denesųłiné communities were not included within the LPA.
223.	YNLR (October 12, 2022)	Section 1.2.3	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 Denesųłiné Traditional territory overlaps the Métis Nation – Saskatchewan (MN-S) Northern Region 2 area by nearly 60% (Figure 5). The Athabasca Denesųłiné Traditional territory (see previous Figure 1) should also have been included on all reference maps. Its exclusion means that the Athabasca Denesųłiné Traditional territory is given no significance and is therefore not known or properly considered by those involved with the Project.	NexGen maintains that the reviewer's assertion that the lack of inclusion of the Athabasca Denesųłiné Traditional territory within Draft EIS figures resulted in improper consideration of potential effects is incorrect. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC

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				LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). NexGen notes that it was not NexGen's intent to provide traditional territories in Draft EIS figures; rather, First Nation treaty information and the Métis Nation – Saskatchewan (MN-S) region information (e.g., MN-S Northern Region 2) are included within the Draft EIS.
224.	YNLR (October 12, 2022)	Section 1.2.3	It appears that the Athabasca Denesųłiné 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 Denesųłiné since 2019.	NexGen notes that the reviewer's assertion that the Athabasca Denesųłiné were not considered to be potentially interested or affected by the Project is incorrect. NexGen has engaged with the Athabasca Denesųłiné throughout the EA process and has conducted an appropriate evaluation to determine potential Project effects. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Although potential Project effects to the Athabasca Denesųłiné are anticipated to be minimal, since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
225.	YNLR (October 12, 2022)	Section 1.2.3 Section 2.4	The Athabasca Denesųłiné has a long-established traditional territory and Treaty rights in the project area. Further there is documented Athabasca Denesųłiné knowledge, land use, and occupancy in the project area. It is reasonable to conclude that the Athabasca Denesųłiné could be impacted.	NexGen notes that engagement with the Athabasca Denesųłiné has occurred throughout the EA process and an appropriate evaluation to determine potential Project effects to the Athabasca Denesųłiné has been completed. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal.
226.	YNLR (October 12, 2022)	Section 1.2.3 Section 2.4	The Athabasca Denesųłiné 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.	NexGen acknowledges the reviewer's comment.
227.	YNLR (October 12, 2022)	Section 1.2.3 Section 2.4	There is no on-going or settled litigation involving the Athabasca Denesųłiné in the project area. We believe that this is a positive condition	NexGen acknowledges the reviewer's comment and clarifies that land claims or litigation (whether settled or ongoing) are a consideration when determining engagement requirements for Indigenous Groups.
228.	YNLR (October 12, 2022)	Section 1.2.3	YNLR is a not-for-profit organization established by the Black Lake Denesųłiné First Nation, Fond du Lac Denesųłiné First Nation, and Hatchet Lake Denesųłiné First Nation (collectively known as Athabasca Denesųłiné) 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. 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 Denesųłiné considerations should have been well known by both NexGen and CNSC given materials provided and discussions undertaken.	NexGen disagrees with the YNLR assertion that the Athabasca Denesųłiné should be considered as a primary Indigenous Group. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).

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				Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, the Athabasca Denesųłiné have been appropriately designated as an 'other Indigenous Group'. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
229.	YNLR (October 12, 2022)	Section 1.2.3	Comparing the information in EIS Table 1.2-2 with the identification criteria, several gaps are immediately evident. The overlap of the Athabasca Denesųłiné 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.	NexGen notes that the approach used within Table 1.2-2 of Draft EIS Section 1.2.3 (Indigenous and Community Setting) is consistent for both the primary and other Indigenous Groups. However, NexGen acknowledges that the potential overlap with traditional territory was omitted for the Black Lake Denesųłiné First Nation and Fond du Lac Denesųłiné First Nation; this information will be added within Tables 1.2-2 and 2.4-4 of Final EIS Sections 1.2.3 (Indigenous and Community Setting) and 2.4.1 (Identification of Indigenous Groups for Engagement), respectively. NexGen notes that this addition would not change the categorization of the Athabasca Denesųłiné as an other Indigenous Group.
230.	YNLR (October 12, 2022)	Section 1.2.3 Section 2 Section 3 Section 5 Section 15 Section 16 Section 18 Section 19 Section 20 Section 24	The Athabasca Denesųłiné 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 Denesųłiné within these activities would have allowed for a much more complete exploration of Athabasca Denesųłiné 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 Denesųłiné. The exclusion of the Athabasca Denesųłiné from the primary Indigenous group category ensured that they were afforded less attention than other Indigenous peoples. This is prejudicial and self- perpetuating.	NexGen strongly disagrees that the approach to engagement with the Athabasca Denesųłiné was prejudicial and self-perpetuating. The approach to engagement with Indigenous Groups followed well established regulatory guidance. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, the Athabasca Denesųłiné have been appropriately designated as an 'other Indigenous Group'. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where YNLR or any YNLR community has been identified as a rights holder.
231.	YNLR (October 12, 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.	NexGen notes that information provided by the Athabasca Denesųłiné shows that Athabasca Denesųłiné traditional use is not conducted in the area where direct Project effects are anticipated to occur; rather, Athabasca Denesųłiné traditional use is conducted in the broader region. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on the information described above, NexGen maintains that the information provided by the Athabasca Denesųłiné has been appropriately considered within the EA process.

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232.	YNLR (October 12, 2022)	Section 1.3.2	The Athabasca Denesųłiné remind all parties that the consideration of the impacts of the NexGen project on our rights and interests is incomplete.	As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal and have been appropriately captured within the EIS.
233.	YNLR (October 12, 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	NexGen confirms its intent to continue engaging with the YNLR throughout the Project lifespan. Since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
234.	YNLR (October 12, 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	NexGen acknowledges the reviewer's comment. A NexGen value is to develop the Project in a sustainable manner that is underpinned by effort and dedication towards environmental protection, cultural respect, health and wellness, education, careers, and training and economic capacity building (Draft EIS Section 1.1.2 [NexGen Visions, Values, and Approach]).
235.	YNLR (October 12, 2022)	Section 2.1	Given that engagement efforts are directed at local communities, the exclusion of the Athabasca Denesųłiné is prejudicial and ensures that our rights and interests cannot be fully considered. It is the opinion of the Athabasca Denesųłiné that we are a local community	NexGen strongly disagrees that the approach to engagement with the Athabasca Denesųłiné was prejudicial. The approach to engagement with Indigenous Groups followed well established regulatory guidance. NexGen also confirms that the Athabasca Denesųłiné were not excluded from engagement. NexGen further notes that as the Athabasca Denesųłiné have not demonstrated traditional use in the area where direct Project effects are expected to occur, they have been appropriately designated as an 'other Indigenous Group' for engagement and have been adequately engaged on this basis. NexGen is committed to ongoing engagement with the YNLR as an other Indigenous Groups. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
236.	YNLR (October 12, 2022)	Section 2.1	Figures 2.1-1 shows the Athabasca Denesųłiné reserves but does not name the First Nations or show community location. Further, the map does not show the Athabasca Denesųłiné 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 Denesųłiné 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 Denesųłiné traditional territory herein as Figure 2.	NexGen notes that Figure 2.1-1 in Draft EIS Section 2.1 (Introduction) is intended to focus on the Project location rather than portray community locations. NexGen also notes that it was not NexGen's intent to provide traditional territories in Draft EIS figures; rather, First Nation treaty information and the Métis Nation – Saskatchewan (MN-S) region information (e.g., MN-S Northern Region 2) are included within the Draft EIS.
237.	YNLR (October 12, 2022)	Section 2.2.2	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). Athabasca Denesųłiné were not included in such programs.	NexGen confirms that the programs noted by the reviewer are focused within the local priority area (LPA) and notes that these programs were not extended to other areas outside the LPA such as the Athabasca Denesųłiné communities.
238.	YNLR (October 12, 2022)	Section 2.3.2.1	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) We don't believe that we have received this report	NexGen confirms that Draft EIS TSD I (Indigenous Engagement Report) is available to download from the Canadian Impact Assessment Registry website at the following location: https://www.iaac-aeic.gc.ca/050/evaluations/exploration?projDocs=80171.
239.	YNLR (October 12, 2022)	Section 2.4 Section 3.2.2 Section 5.1.3 Section 18.2.3 Section 19.2.3	NexGen began engaging with communities as early as 2013. Unfortunately, discussions with the Athabasca Denesųłiné did not begin until 2019. 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)	NexGen notes that the reviewer's assertions that the local priority area (LPA) was based on the timing of Indigenous Group engagement and that information provided by the Athabasca Denesųłiné was ignored are incorrect. The LPA was defined based on the Indigenous Groups and communities that would most likely be affected by the proposed Project, and as information provided by the Athabasca Denesųłiné showed that effects on their land use are anticipated to be minimal, the Athabasca Denesųłiné communities were not included within the LPA.

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			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 Denesųłiné 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 Denesųłiné 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 the Project. In fact, Fond du Lac is closer to the project site than a number of other groups considered primary!	As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. Therefore, road access was only one consideration when determining the potential of the Project to affect Indigenous Groups. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). As the Athabasca Denesųłiné have not demonstrated traditional use in the area where direct Project effects are expected to occur, they have been appropriately designated as an 'other Indigenous Group' for engagement and have been adequately engaged on this basis. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
240.	YNLR (October 12, 2022)	Section 2.5	As the Athabasca Denesųłiné 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 Denesųłiné including our rights and interests and determine preferred engagement process and techniques as well as participate in a fulsome Study Agreement. Unfortunately, the Athabasca Denesųłiné 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. Regrettably, the Athabasca Denesųłiné were not included in these engagements. Assuredly, the Athabasca Denesųłiné 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.	NexGen disagrees with the reviewer's assertion that NexGen had difficulties incorporating information provided by the Athabasca Denesųłiné. NexGen also notes that a Study Funding Agreement was signed with the Athabasca Denesųłiné in 2020 for the purpose of understanding Athabasca Denesųłiné land use in the area of the Project and incorporating Indigenous Knowledge into the EA. While NexGen acknowledges that the level of engagement with the Athabasca Denesųłiné was lower that engagement conducted with the primary Indigenous Groups within the local priority area, NexGen maintains the level of engagement with the Athabasca Denesųłiné was appropriately conducted based on the potential of the Project to affect the Athabasca Denesųłiné. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the LSA while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). The information provided to NexGen by the Athabasca Denesųłiné demonstrates that the Project would result in minimal effects to Athabasca Denesųłiné land use; therefore, the level of engagement conducted has been appropriate. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
241.	YNLR (October 12, 2022)	Section 2.5.2	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). Most of these methods were targeted at, and specific to communities in the LPA, and therefore the Athabasca Denesųłiné were excluded.	NexGen acknowledges the reviewer's comment and maintains that the appropriate level of engagement has occurred for both communities within and outside the local priority area.

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242.	YNLR (October 12, 2022)	Section 2.5.2	Mistakenly, the Athabasca Denesųłiné 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.	NexGen disagrees with the Athabasca Denesųłiné assertion that they were mistakenly categorized as an ‘other Indigenous Group’ and should be considered a primary Indigenous Group. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, the Athabasca Denesųłiné have been appropriately designated as an ‘other Indigenous Group’. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
243.	YNLR (October 12, 2022)	Section 2.5.2.2 Section 3.3	The Athabasca Denesųłiné were engaged with using far fewer methods and with a much narrower focus than primary Indigenous groups. The greater involvement of Athabasca Denesųłiné within the engagement activities would have allowed for a much more complete exploration of Athabasca Denesųłiné 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 Denesųłiné. The exclusion of the Athabasca Denesųłiné from the primary Indigenous group category ensured that they were afforded less attention than other Indigenous peoples. This is prejudicial and self-perpetuating.	NexGen strongly disagrees that the approach to engagement with the Athabasca Denesųłiné was prejudicial and self-perpetuating. The approach to engagement with Indigenous Groups followed well established regulatory guidance. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, the Athabasca Denesųłiné have been appropriately designated as an ‘other Indigenous Group’. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
244.	YNLR (October 12, 2022)	Section 2.5.4	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) Regrettably, the Athabasca Denesųłiné communities were not engaged in this manner. It constituted a lost opportunity for joint learning and sharing between Athabasca Denesųłiné and NexGen.	NexGen maintains the level of engagement with the Athabasca Denesųłiné was appropriately conducted based on the potential of the Project to affect the Athabasca Denesųłiné. As noted in Table 2.6-1 of Draft EIS Section 2.6.1.1 (Summary of Indigenous Engagement Activities), engagement activities with the Athabasca Denesųłiné included meetings, letters of correspondence, and emails. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC

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				LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, the Athabasca Denesųłiné have been appropriately designated as an 'other Indigenous Group'. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
245.	YNLR (October 12, 2022)	Section 2.5.5	With the exception of an Athabasca Denesųłiné IKTLU study, which was impacted by the COVID pandemic, the Athabasca Denesųłiné were not included in any of the other noted knowledge sharing processes. The greater involvement of Athabasca Denesųłiné within these engagement activities would have allowed for a much more complete exploration of Athabasca Denesųłiné 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 Denesųłiné. The exclusion of the Athabasca Denesųłiné from the majority of these opportunities ensures that they are afforded less attention than other Indigenous peoples. This is prejudicial and self-perpetuating	NexGen strongly disagrees that the approach to engagement with the Athabasca Denesųłiné was prejudicial and self-perpetuating. The approach to engagement with Indigenous Groups followed well established regulatory guidance. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
246.	YNLR (October 12, 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 Denesųłiné within these engagement activities would have allowed for a much more complete exploration of Athabasca Denesųłiné 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 Denesųłiné. The exclusion of the Athabasca Denesųłiné from the majority of these opportunities ensured that they were afforded less attention than other Indigenous peoples. This is prejudicial and self-perpetuating.	NexGen strongly disagrees that the approach to engagement with the Athabasca Denesųłiné was prejudicial and self-perpetuating. The approach to engagement with Indigenous Groups followed well established regulatory guidance. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).

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				Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
247.	YNLR (October 12, 2022)	Section 2.6.1.1.1 Section 2.6.1.1.2	Unfortunately, the Athabasca Denesųłiné were not included in the Joint Working Groups. Athabasca Denesųłiné may have had some good information to share and would have appreciated the opportunity to learn from others	NexGen maintains the level of engagement with the Athabasca Denesųłiné was appropriately conducted based on the potential of the Project to affect the Athabasca Denesųłiné. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). Based on available information, Project effects to the Athabasca Denesųłiné are anticipated to be minimal. Therefore, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where YNLR or any YNLR community has been identified as a rights holder.
248.	YNLR (October 12, 2022)	Section 2.6.1.2.1	Athabasca Denesųłiné notes that more meetings and engagement result in more detail. While fewer meetings and engagement result in less detail.	NexGen acknowledged the reviewer's comment and maintains the level of engagement with the Athabasca Denesųłiné was appropriately conducted based on the potential of the Project to affect the Athabasca Denesųłiné.
249.	YNLR (October 12, 2022)	Section 2.6.1.2.2	We are pleased that there is some reference to the Athabasca Denesųłiné, but we believe the summary is incomplete. The 2020 Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment –provided an overview of Athabasca Denesųłiné (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 Denesųłiné, and potential impacts related to the NexGen Rook 1 Project and industrial development in general that include: 1.wildlife harvest and habitat 2.water resources, 3.the continued ability to exercise Treaty and Aboriginal Rights and the protection of Athabasca Denesųłiné rights. Any reference to economic activities in the ADKLUO report was indirect, though important. To be clear, there was no reference to the wider Athabasca Basin. Further Athabasca Denesųłiné Treaty and Aboriginal Rights and their protection seemed to be excluded from the NexGen summary. These issues and concerns along with others were raised during meetings between AD and NexGen and/or the CNSC. 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 Denesųłiné issues.	NexGen maintains that information regarding the Athabasca Denesųłiné considered within the Project EA was appropriate based on the Potential Project effects, and on this basis, further discussion regarding Athabasca Denesųłiné Treaty and Aboriginal Rights is not required. NexGen also maintains that the level of engagement conducted with the Athabasca Denesųłiné has been appropriate. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR; referred to by the reviewer as the 2020 Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). As Project effects to the Athabasca Denesųłiné are anticipated to be minimal, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné.
250.	YNLR (October 12, 2022)	Section 2.6.1.3	The Athabasca Denesųłiné were not included in the validation process and therefore did not have the same opportunity to further discuss their issues and interests	NexGen notes that the issues and concerns validation process was not complete at the of Draft EIS submission. The issues and concerns validation process has been completed as part of the EA review process and is documented in the Final EIS.

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251.	YNLR (October 12, 2022)	Section 2.6.3.1.1	The Athabasca Denesųłiné were not included in the community information activities and sessions	NexGen notes that the community information sessions and activities were conducted within the local priority area. With the exception of the Métis-specific community information sessions held in October 2022, the community information sessions conducted to date were open for anyone who wished to attend, including the Athabasca Denesųłiné.
252.	YNLR (October 12, 2022)	Section 2.6.3.1.2	The Athabasca Denesųłiné were not included in the KP Research Program.	NexGen notes that the Key Person interview program focused on the communities within the local priority area that are anticipated to experience most of the Project effects.
253.	YNLR (October 12, 2022)	Section 2.6.3.1.3	The Athabasca Denesųłiné were not included in the Youth or other Workshops	NexGen notes that the activities such as trappers' workshops and youth workshops focused on the groups and individuals who are anticipated to experience most of the Project effects.
254.	YNLR (October 12, 2022)	Section 2.7.1	In section 2.7.1 There is no mention of "other Indigenous Groups", Athabasca Denesųłiné, or YNLR in this section. There should be.	NexGen notes that Draft EIS Section 2.7.1 (Ongoing and Planned Engagement Activities) focuses on the general engagement activities that would occur as the Project proceeds and does not specify any Indigenous Groups. No changes to the EIS are required.
255.	YNLR (October 12, 2022)	Section 3.1	The Athabasca Denesųłiné 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.	NexGen maintains that information regarding the Athabasca Denesųłiné considered within the Project EA was appropriate based on the Potential Project effects, and on this basis, further discussion regarding Athabasca Denesųłiné Treaty and Aboriginal Rights is not required. NexGen also maintains that the level of engagement conducted with the Athabasca Denesųłiné has been appropriate. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). As Project effects to the Athabasca Denesųłiné are anticipated to be minimal, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where YNLR or any YNLR community has been identified as a rights holder.
256.	YNLR (October 12, 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 Denesųłiné 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 Denesųłiné 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 Denesųłiné traditional territory here as Figure 2.	NexGen notes that Figure 3.1-1 in Draft EIS Section 3.1 (Introduction) is intended to focus on the Project location rather than portray community locations. NexGen also notes that it was not NexGen's intent to provide traditional territories in Draft EIS figures; rather, First Nation treaty information and the Métis Nation – Saskatchewan (MN-S) region information (e.g., MN-S Northern Region 2) are included within the Draft EIS.
257.	YNLR (October 12, 2022)	Section 3.1.1	The Athabasca Denesųłiné 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 Denesųłiné 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. NexGen began engaging with communities as early as 2013. Unfortunately, discussions with the Athabasca Denesųłiné did not begin until 2019. Our ADKLUO report provided an overview of the Athabasca Denesųłiné (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.	NexGen maintains that information regarding the Athabasca Denesųłiné considered within the Project EA was appropriate based on the Potential Project effects, and on this basis, further discussion regarding Athabasca Denesųłiné Treaty and Aboriginal Rights is not required. NexGen also maintains that the level of engagement conducted with the Athabasca Denesųłiné has been appropriate. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR; referred to by the reviewer as the 2020 Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).

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				As Project effects to the Athabasca Denesųłiné are anticipated to be minimal, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. NexGen notes that since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
258.	YNLR (October 12, 2022)	Section 3.8	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 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 Denesųłiné traditional territory and Traditional knowledge seem not to have been incorporated in a fulsome way. AD had limited or non-existant 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 Denesųłiné knowledge was not sought -during the EA process (Joint Working Groups, ongoing engagement, scoping, environmental assessment Figure 3.1-6 p 3-28)	NexGen maintains that the approach to the inclusion of Indigenous Knowledge within the Project EA, including information provided by the Athabasca Denesųłiné, was appropriate. NexGen also maintains that the level of engagement conducted with the Athabasca Denesųłiné has been appropriate. The process to include Indigenous Knowledge within the EA included adhering to guiding principles such as protecting sensitive information and acquiring informed consent as well as the implementation of a detailed approach to gather, incorporate, and document Indigenous Knowledge. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). As Project effects to the Athabasca Denesųłiné are anticipated to be minimal, an appropriate level of engagement has been conducted with the Athabasca Denesųłiné.
259.	YNLR (October 12, 2022)	Section 3.8	Unfortunately, the delineation of the spatial boundary for the LSA does not appear to include inputs and information from Athabasca Denesųłiné.	NexGen notes that the reviewer’s comment is not specific to which valued component (VC) local study area (LSA) is being referenced. However, as a general rule, VC LSAs derived within the discipline assessments were defined at a scale that contains most or all of the expected effects of the Project on a VC and supporting intermediate components (Draft EIS Section 6.4.1 [Spatial Boundaries]). Indigenous Knowledge was considered within the LSA delineation, where appropriate and available.
260.	YNLR (October 12, 2022)	Section 4	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	NexGen acknowledges the reviewer’s comment.
261.	YNLR (October 12, 2022)	Section 4	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?	In the context of Project Alternatives, ecological integrity was an assessment sub-category that considered the ability of an alternative to maintain effective and self-sustaining ecosystems. Ecological health is closely tied to ecological integrity. As these terms are somewhat analogous to one another, only ecological integrity was considered within the alternatives assessment..
262.	YNLR (October 12, 2022)	Section 4	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.	NexGen acknowledges the YNLR’s concern regarding increased traffic on Highway 955 and confirms that potential effects from traffic have been evaluated throughout the EIS and environmental design features and mitigation measures would be implemented to minimize potential effects. ▪ The assessment of increased traffic on human safety is provided in Draft EIS Section 21 (Accidents and Malfunctions). ▪ The assessment of direct and indirect effects of traffic on wildlife is provided in Draft EIS Section 14 (Wildlife and Wildlife Habitat). ▪ The assessments of direct and indirect effects of traffic on Indigenous land and resource use, other land and resource use, and community well-being are provided in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use), Draft EIS Section 17 (Other Land and Resource Use), and Section 19 (Community Well-being), respectively. Environmental design features and mitigation measures that would be implemented to minimize Project effects associated with traffic include: ▪ Development of a Ground Transportation Emergency Response Plan to mitigate safety risks related to the transportation of materials and equipment and to address traffic safety on the access road, including education of workers (e.g., staff contractors). ▪ Pedestrians, cyclists, and wildlife would be provided with the right of way.

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				▪ In instances where wildlife or people are observed on the road, staff and contractors would be advised to reduce speed. ▪ Staff and contractors would receive training on how to drive safely along the transportation route, including training on defensive driving techniques. A more detailed description of the proposed environmental design features and mitigation measures may be found in Draft EIS Section 21.7.1.1 (Mitigation Measures).
263.	YNLR (October 12, 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)	NexGen notes that the Project site is remote and that workers would need to be transported to site, where they would then stay at the Project on-site camp. Text referred to by the reviewer in Draft EIS Section 1.2.6 (Project Summary) states that workers would be transported to site via bus until the airstrip is built, after which time workers would be transported by air. These transportation methods would allow workers to get to the Project site for their shifts, during which time they would be accommodated at the Project camp.
264.	YNLR (October 12, 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.	NexGen confirms that a key Project goal is to minimize effects to the environment, including potential effects to wildlife and wildlife habitat and fish and fish habitat. Mitigation measures described in Draft EIS Section 14 (Wildlife and Wildlife Habitat) and Draft EIS Section 11 (Fish and Fish Habitat) would be implemented to minimize effects. Also, as described in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen's preliminary objective for Closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities and for functional self sustaining, locally common ecosystems on the reclaimed landscape as soon as practical. Additional measures to minimize Project effects and promote ways to improve wildlife habitat and fish habitat will be discussed with Indigenous Groups throughout the Project lifespan through both the Environmental Committees established with the primary Indigenous Groups and other engagement activities.
265.	YNLR (October 12, 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.	NexGen confirms that the effects of mining-related activities including exploration and reasonably known future projects have been considered in the EA. As noted in Draft EIS Section 6.5 (Assessment Cases), the Base Case considered mining activities or projects that have already occurred, are occurring, or are approved but not necessarily constructed; the Application Case includes the Base Case and the Project; and the Reasonably Foreseeable Development (RFD) Case includes RFD projects that have been publicly disclosed, are currently undertaking a regulatory process, or could be induced by the project. As the EA evaluated cumulative effects from past, present, and known future activities, the precautionary approach was appropriately undertaken.
266.	YNLR (October 12, 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	NexGen confirms that, in addition to the Study Funding Agreement signed by NexGen and the YNLR in 2019 to complete an Indigenous Knowledge and Traditional Land Use Study, an Engagement Agreement has been signed by NexGen and the YNLR in 2023 to continue engagement related to the Project and other NexGen exploration activities.
267.	YNLR (October 12, 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	NexGen confirms that an Engagement Agreement has been signed by NexGen and the YNLR in 2023 to continue engagement related to the Project and other NexGen exploration activities. Project engagement will also continue with other Indigenous Groups through mechanisms established between NexGen and each Indigenous Group.
268.	YNLR (October 12, 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.	NexGen confirms that an Engagement Agreement has been signed by NexGen and the YNLR in 2023 to continue engagement related to the Project and other NexGen exploration activities. Project engagement will also continue with other Indigenous Groups through mechanisms established between NexGen and each Indigenous Group.
269.	YNLR (October 12, 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.	Detailed scoping and development of monitoring programs for the Project would occur outside of the EA process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen's monitoring plans as part of future engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
270.	YNLR (October 12, 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 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	NexGen confirms that potential Project effects on soils and water quality were assessed in Draft EIS Section 12 (Terrain and Soils) and Draft EIS Section 10 (Surface Water Quality and Sediment Quality), respectively. The assessments considered the appropriate Project components and phases, including a far-future phase for water quality, where effects

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				were considered in the far future long after the Project would be reclaimed. Draft EIS Section 12 and Draft EIS Section 10 also contain numerous mitigation and monitoring measures to protect soil quality and water quality, respectively.
271.	YNLR (October 12, 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	NexGen notes that the tables in Draft EIS Section 5.5.4 (Traffic) noted by the reviewer are intended to provide high-level information regarding the anticipated traffic volumes during Construction and Operations. NexGen confirms that Project effects from increased traffic have been evaluated throughout the EIS. ▪ The assessment of increased traffic on human safety is provided in Draft EIS Section 21 (Accidents and Malfunctions). ▪ The assessment of direct and indirect effects of traffic on wildlife is provided in Draft EIS Section 14 (Wildlife and Wildlife Habitat). ▪ The assessments of direct and indirect effects of traffic on Indigenous land and resource use, other land and resource use, and community well-being are provided in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use), Draft EIS Section 17 (Other Land and Resource Use), and Section 19 (Community Well-being), respectively. As part of these assessments, mitigation measures have been included to demonstrate how Project-related effects would be minimized. With respect to wildlife, mitigation measures include advising staff, contractors, and visitors to take all reasonable precautions to avoid wildlife collisions; providing wildlife with the right of way; stopping and reporting/communicating when wildlife is observed on or adjacent to the road and allowing animals to move away before continuing to drive; and adjusting speed limit in accordance with conditions (EIS Section 14.4 [Project Interactions and Mitigations], Table 14.4-1), among others. NexGen notes that these mitigation measures have been reviewed and deemed acceptable to both provincial and federal regulatory agencies through their respective EA technical review processes, as reflected by the receipt of provincial EA approval for the Project in November 2023 and CNSC confirmation of the conclusion of the federal EIS technical review in November 2024.
272.	YNLR (October 12, 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.	NexGen acknowledges the reviewer's comment and confirms that several measures are in place that will facilitate ongoing dialogue between NexGen and Indigenous Groups and local communities.
273.	YNLR (October 12, 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.	NexGen acknowledges the reviewer's comment and confirms that several measures are in place that will facilitate ongoing dialogue between NexGen and Indigenous Groups and local communities.
274.	YNLR (October 12, 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.	NexGen acknowledges the reviewer's comment and confirms that several measures are in place that will facilitate ongoing dialogue between NexGen and Indigenous Groups and local communities.
275.	YNLR (October 12, 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?	With respect to the Project, a key NexGen goal is to minimize adverse effects and maximize opportunities. With respect to the EA, the precautionary principle reflects conservatism in assumptions and protection measures so that there is confidence that effects are not underestimated. Using conservative assumptions represents a key method to mitigate uncertainty that may be associated with variable levels of information. Overall, NexGen is confident that predicted adverse effects should be less that the predictions presented in the EIS.
276.	YNLR (October 12, 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	NexGen confirms that the EIS included comprehensive assessments of cumulative effects on valued components and intermediate components from existing conditions, the Project, and, where applicable, reasonably foreseeable developments (RFDs). Where applicable, the cumulative effects assessment scenarios were also completed to predict potential effects from climate change (e.g., hydrology). With respect to caribou, the cumulative effects assessment included the Fission Patterson Lake South Property and forestry activities as RFDs. The cumulative effects assessment measured effects against the regional study area, caribou home range, and SK2 West Caribou Administration Unit.
277.	YNLR (October 12, 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.	NexGen confirms that avoiding redundancy was a consideration when determining valued components for the Project EA,; however, this was one of several factors considered when determining appropriate VCs for the Project. ▪ Avoiding VC redundancy is a widely accepted approach within EA practice and is supported by regulatory guidance. o Avoiding redundancy aligns with technical guidance for assessments completed under *Canadian Environmental Assessment Act, 2012*: o "The state (health, status, or condition) of a species may be monitored because it is seen as an indicator species (i.e., a reflection of the state of the environment on a chosen scale). In an EA, it may be used as a surrogate to predict environmental effects on other species or another ecologically justifiable group if it provides a reasonably accurate prediction of effects and response on those other species/groupings." (IAAC 2022) o Avoiding VC redundancy is also noted as good EA practice through other Canadian regulatory guidance: o "whether the potential effects of the project on the VC can be measured and/or monitored or would be better ascertained through the analysis of a proxy VC." (IAA 2020)

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				o "Sometimes, multiple candidate VCs may be affected by the project in the same or similar ways. In such cases, it may be appropriate to select only one of the candidate VCs for detailed analysis, to avoid redundancy in analysis. This is particularly true for biological VCs that may be members of the same guild or group of species that occupy a common ecological niche and display similar ecological functions and requirements." (BC EAO 2013) ▪ Avoiding redundancy was not the only factor considered in selecting VCs. Other factors considered included (Draft EIS Section 6.3.1 [Valued Components]): o potential for interaction with the Project and degree of interaction, including presence, abundance, and amount of spatial overlap of a VC with the Project; o sensitivity of a VC to potential Project effects and level of damage or harm that could be realized should an adverse effect occur; o species conservation status or concern (e.g., rarity, sensitivity, uniqueness); o Indigenous and Local Knowledge obtained from feedback during community engagement sessions for the Project and through discussions with the Joint Working Groups; o ecological and socio-economic/cultural value to communities, government agencies, and the public; o inclusion in Appendix C of REGDOC 2.9.1 (CNSC 2020); and o recent experience with similar projects in Saskatchewan and other jurisdictions in Canada. In consideration of regulatory guidance and the multiple factors considered when determining VCs, NexGen maintains that the VCs selected for the Project are appropriate. **References** BC EAO (British Columbia Environmental Assessment Agency). 2013. Guideline for the Selection of Valued Components and Assessment of Potential Effects. Available at https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/guidance-documents/eao-guidance-selection-of-valued-components.pdf. *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, version 1.2. Environmental Principles, Assessment and Protection Measures. September 2020. 63 pp. IAAC (Impact Assessment Agency of Canada). 2020. Tailored Impact Statement Guidelines Template for Designated Projects Subject to the *Impact Assessment Act*. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/tailored-impact-statement-guidelines-projects-impact-assessment-act.html#_Toc15652126. IAAC. 2022. Technical Guidance for Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. March 2018. Version 2. Available at https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/assessing-cumulative-environmental-effects-ceaa2012.html#t.
278.	YNLR (October 12, 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 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.	NexGen is aligned with the reviewer's sentiment that a quantitative approach to assessment is not always appropriate for an assessment endpoint such as the continued ability to participate in Indigenous land and resource use activities. With this in mind, both quantitative and qualitative approaches were used for the assessment of Indigenous land and resource use. The measurement indicators for the assessment were: 1. Changes to access to and area available for Indigenous land and resource use; 2. Changes to the availability and quality of fish, plants, and wildlife for harvesting; and 3. Changes to the quality of the Indigenous land use experience. The evaluation for the first measurement indicator included the quantitative calculated area of the land disturbed by the Project and the second and third measurement indicator evaluations were supported by numerical results from physical and biological disciplines. However, in evaluating the Project influence on the third measurement indicator, qualitative aspects such as the perceptions of water, fish, plant, and wildlife resource quality and changes to the cultural landscape were also considered. NexGen is confident that combining these approaches to assessment has resulted in a high degree of confidence in effects predictions.
279.	YNLR (October 12, 2022)	Section 6	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	NexGen notes that Draft EIS Section 6 (Environmental Assessment Approach and Methods) summarizes the approach and methods, including valued component (VC) selection rationale, undertaken for the EA. Detailed information is contained within the discipline sections of the EIS.

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			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? 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): ▪ 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 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.	Specific to the questions asked by the reviewer, information may be found within the EIS as follows: ▪ Rationale for the selection of vegetation VCs is presented in Draft EIS Section 13.2.2.1 (Valued Components). ▪ Rationale for the selection of wildlife and wildlife habitat VCs is presented in Draft EIS Section 14.2.2.1 (Valued Components). ▪ Definition of and approach to assessing effects on the measurement indicators for the Indigenous land and resource use, other land and resource use, and community well-being VCs are presented in Draft EIS Section 16.2.2.2 (Measurement Indicators), Draft EIS Section 17.2.2.2 (Measurement Indicators), and Draft EIS Section 19.2.2.2 (Measurement Indicators), respectively. Overall, NexGen maintains that a comprehensive EA has been completed for the Project and is confident that potential effects on people or the environment have been appropriately characterized.
280.	YNLR (October 12, 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 designed and implemented with YNLR participation in order to detect significant deviations from baseline conditions.	Detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the EA process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen's monitoring plans as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
281.	YNLR (October 12, 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 55 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.	NexGen recognizes that the valued components (VCs) selected for the EA represent a small proportion of the species present in the ecosystem. However, selection of VCs to focus an EA is an accepted practice (Beanlands and Duinker 1983; CNSC 2021; CEA Agency 2018), where the selection of appropriate VCs allows an EA to be focused on those aspects of the biophysical, cultural, and socio-economic environments that are of greatest importance to both society and species conservation. NexGen also recognizes the importance of monitoring and follow-up. As such, monitoring programs are proposed in each discipline section of the Draft EIS (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] to Draft EIS Section 19 [Community Well-being]) to address the uncertainties associated with the effects predictions and to evaluate the performance of the Project, including the applied mitigation measures. **References** Beanlands G, Duinker P. 1983. An Ecological Framework for Environmental Impact Assessment in Canada. Halifax Nova Scotia: Institute for Resources and Environmental Studies, Dalhousie University 132 p. CEA Agency. 2018a. Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. Interim Technical Guidance. March 2018. Version 2. Available at http://publications.gc.ca/collections/collection_2018/acee-ceaa/En106-204-2018-eng.pdf. CNSC. 2021. Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to the *Canadian Environmental Assessment Act, 2012*. Available at http://cnsc.gc.ca/eng/resources/environmental-protection/ceaa-2012-generic-eis-guidelines.cfm.
282.	YNLR (October 12, 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	NexGen notes that Draft EIS Section 6 (Environmental Assessment Approach and Methods) describes the overall assessment approach and methods for the EA. The discipline assessment sections (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-being]) outline the discipline-specific methods for their assessments, including the spatial boundaries for each valued component and intermediate component assessed.

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				Specific to wildlife, the study areas for assessment are presented in Draft EIS Section 14.2.3.2 (Environmental Assessment Boundaries).
283.	YNLR (October 12, 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.	Detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the EA process (i.e., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen's monitoring plans as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
284.	YNLR (October 12, 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	NexGen disagrees with the reviewer's comment that the approach to selecting reasonably foreseeable developments (RFDs) was subjective in nature; the definition for selection of RFDs in Draft EIS Section 6.5.3 (Reasonably Foreseeable Development Case) is consistent with guidance provided by the CEA Agency (2018). NexGen maintains that the assessment of cumulative effects needs to be based on projects that have a reasonable degree of certainty of being developed with a level of information useful for generating confident and relevant ecological, cultural, and socio-economic impact predictions. NexGen also notes that the number of valued components (VCs) selected does not change the approach for assessing cumulative effects. If the effects from the Project and RFDs overlapped or interacted within the temporal or spatial distribution of the VC, then an RFD Case cumulative effects assessment was completed. It should be noted that RFD Case cumulative effects assessments were completed for all biological, cultural, socio-economic, and human health VCs. **References** CEA Agency. 2018a. Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. Interim Technical Guidance. March 2018. Version 2. Available at http://publications.gc.ca/collections/collection_2018/acee-ceaa/En106-204-2018-eng.pdf.
285.	YNLR (October 12, 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.	NexGen believes that all adverse effects predicted within the EA should taken seriously; as such, mitigation measures, environmental and social management programs and plans, and monitoring would be implemented to minimize Project effects and maximize Project benefits. NexGen notes that, as discussed in Draft EIS Section 6.5.3 (Reasonably Foreseeable Case), the lifespan of the Fission Patterson Lake South Property was estimated based on available information. Public information describes a projected three-year construction period and a seven-year operating period (Fission 2019, 2021). The anticipated start of construction and duration of active decommissioning at the Fission Patterson Lake South Property were not publicly available at the time the EIS was completed. Therefore, the EA assumed that the duration of active decommissioning for the Fission Patterson Lake South Property would be similar to the Active Closure Stage for the Project (i.e., five years). Thus, the minimum temporal overlap of potential cumulative effects from the Project and the Fission Patterson Lake Property was assumed to be 15 years. However, depending on the amount of time for effects to be reversed, the duration of cumulative effects from the two projects would vary among VCs and intermediate components (Draft EIS Section 6.4.2, Temporal Boundaries). For example, with respect to woodland caribou, the estimate of the maximum duration of cumulative effects from direct habitat loss for the RFD Case was 55 years (Draft EIS Section 14.2.5 [Assessment Cases], Table 14.2-4). **References** Fission (Fission Uranium Corp.). 2019. Technical Report on the Pre-Feasibility Study of the Patterson Lake South Property using Underground Mining Methods, Northern Saskatchewan, Canada. NI 43-101 Report. Prepared by Roscoe Postle Associates Inc. for Fission Uranium Corp. November 2019. Fission. 2021. Fission Project Description. Prepared by Clifton Engineering Group Inc. and Canada North Environmental Services Limited Partnership for Fission Energy Corp. November 22, 2021.

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286.	YNLR (October 12, 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	NexGen confirms that a key Project goal is to minimize effects to the environment, including potential effects to wildlife and wildlife habitat. Mitigation measures described in Draft EIS Section 14 (Wildlife and Wildlife Habitat) would be implemented to minimize effects. Also, as described in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen's preliminary objective for Closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities and for functional self sustaining, locally common ecosystems on the reclaimed landscape as soon as practical. Additional measures to minimize Project effects and promote ways to improve wildlife habitat and fish habitat will be discussed with Indigenous Groups throughout the Project lifespan through the Environmental Committees established with the primary Indigenous Groups as well as through other engagement activities. As described in Draft EIS Section 6.7.2 (Identification of Mitigation), offsets should be applied for effects that cannot be fully mitigated through avoidance, minimization, and reclamation measures or when temporal losses to the environment would compromise the viability or function of aspects of the environment.
287.	YNLR (October 12, 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.	NexGen clarifies that uncertainty and time lag do not preclude offsets. As described in Draft EIS Section 6.7.2 (Identification of Mitigation), offsets should be applied for effects that cannot be fully mitigated through avoidance, minimization, and reclamation measures or when temporal losses to the environment would compromise the viability or function of aspects of the environment. A precautionary approach was applied within the EA in that, given the uncertainty and time lag inherent in offsetting (e.g., created habitat being functional), offsetting was not used to remove pathways. Where applicable, offsetting was considered but would not convert a pathway be rated as a "no pathway" (Draft EIS Section 6.7.3 [Pathway Screening]). NexGen notes that Draft EIS Section 6 (Environmental Assessment Approach and Methods) describes the general approach and methods undertaken within the EA. Information regarding offsetting with respect to fish and fish habitat is presented in Draft EIS Section 11 (Fish and Fish Habitat).
288.	YNLR (October 12, 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.	NexGen notes that detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen's monitoring plans as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
289.	YNLR (October 12, 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?	NexGen confirms that Project activities, including road traffic, would result in changes to local air quality and noise. Therefore, effects resulting from changes to air quality and noise to people and the environment, including effects to wildlife and wildlife habitat, were evaluated within the EA. The results of the EA generally showed that effects on valued components and intermediate components due changes in air quality and noise would be minor and not significant, with the exception of woodland caribou. For woodland caribou, effects would also be minor, though as effects in the SK2 West Caribou Administrative Unit under existing conditions are already significant (i.e., not self-sustaining for woodland caribou), any Project effects would also be significant. To mitigate potential Project effects to woodland caribou, NexGen is working with provincial and federal regulatory agencies and local Indigenous Groups to develop a Caribou Mitigation and Offsetting Plan that would meet provincial and federal regulatory requirements. In addition, as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.

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290.	YNLR (October 12, 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'.	NexGen notes that the statement "[a]t the RSA boundary, air concentrations are predicted to either be at background levels or less than 10% of the applicable criteria" (Draft EIS Section 7.2.2.3 [Spatial Boundaries]) is intended to convey that concentrations of Project air emissions reach background levels or 10% of the applicable air quality criteria at the RSA boundary.
291.	YNLR (October 12, 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?	NexGen acknowledges that the maintenance of public roadways is provincial responsibility and not necessarily within NexGen's control. However, as a condition of the provincial EA approval, NexGen and the Saskatchewan Ministry of Highways will be having discussions to develop a road upgrade and maintenance agreement, which will be required to be in place prior to Construction.
292.	YNLR (October 12, 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?	NexGen confirms that the results from the air quality assessment (Draft EIS Section 7.2) were considered within the water quality assessment. The water quality assessment concluded that effects would be localized and result in minor changes to concentrations of constituents of potential concern (COPCs) in nearby lakes (Draft EIS Section 10.5.1.2.5 [Atmospheric Deposition]). These changes would not result in any COPC threshold exceedances. Additional measures to minimize Project effects will be discussed with Indigenous Groups throughout the Project lifespan through both the Environmental Committees established with the primary Indigenous Groups and other engagement activities.
293.	YNLR (October 12, 2022)	Section 7	What about the increased noise levels coming from the elevated traffic levels locally and on Highway 955?	NexGen confirms that Project noise levels are predicted to attenuate to existing noise levels at distances between 2.1 km and 9.2 km of the maximum disturbance area for the Project. Maximum or peak noise levels associated with individual vehicles on Highway 955 would not be expected to increase as the types of traffic present would be similar to traffic under existing conditions, though NexGen acknowledges that increases in traffic may result in more regular noise events (i.e., vehicle passes) than under existing conditions. Increased noise levels are predicted to be detectable relative to existing conditions but remain compliant with Environment and Climate Change Canada, Health Canada, and Alberta Energy Regulator regulatory thresholds for all receptors considered in the noise assessment (Draft EIS Section 7.3 [Noise]).
294.	YNLR (October 12, 2022)	Section 8	YNLR is very concerned about the potential for groundwater and surface water contamination from the Project.	NexGen acknowledges the reviewer's concern. In addition to environmental design features and mitigation measures to be implemented for the Project, NexGen will implement an Environmental Management Program and supporting processes that contain several mitigation and monitoring plans and utilize adaptive management that will provide a structured approach to decision making that emphasizes accountability and explicitness while also allowing for flexibility to identify and implement new or modify existing mitigation measures. These measures would help minimize potential Project effects to groundwater and surface water.
295.	YNLR (October 12, 2022)	Section 8	Watershed boundaries are a logical way of delineating the extents of the LSA and RSA for groundwater and hydrology assessments.	NexGen acknowledges the reviewer's comment.
296.	YNLR (October 12, 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?	NexGen confirms that, as described in Draft EIS Section 8.2.5 (Assessment Cases), changes to groundwater elevations, groundwater flow directions and rates, and groundwater quality from the Project are not predicted to overlap spatially with groundwater influenced by the Fission Patterson Lake South Property. Although the Project and Fission Patterson Lake South Property groundwater flow regimes are not predicted to interact, both would have the potential to affect surface water quality. Therefore, the cumulative effects of groundwater seepage from the Project and the Fission Patterson Lake South Property into Patterson Lake are explicitly considered in surface water quality assessment (Draft EIS Section 10).
297.	YNLR (October 12, 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.	NexGen acknowledges the reviewer's comment regarding changes to groundwater quantity and quality though disagrees that the effects would be significant. For groundwater quantity, Project activities are predicted to result in a drawdown that would be generally limited to the basement rock, with less than 5 m estimated in the overlying sandstone. The effect is considered local as it is confined to the basement rock and would not affect Patterson Lake water levels. Effects would reverse over time following Operations (Draft EIS Section 8.5.2.1 [Groundwater Quantity]). Changes to groundwater quality would be limited to the far future as effects would not be expected to occur during Operations. Results from the hydrogeological modelling and assessment were inputs to the hydrology (Draft EIS Section 9) and surface water quality (Draft EIS Section 10) assessments, with the outputs from those assessments considered within the fish and fish habitat (Draft EIS Section 11), vegetation (Draft EIS Section 13), wildlife and wildlife habitat (Draft EIS Section 14), and human health (Draft EIS Section 15) assessments. The EA showed that changes to groundwater would not result in significant adverse effects to any valued components.

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				Although Project effects are not anticipated to be significant, NexGen recognizes the importance of minimizing potential effects to groundwater. NexGen is currently developing an adaptive management plan to manage the specific issue of copper loading to Patterson Lake in the far future. Adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the potentially acid generating and non-potentially acid generating waste rock storage areas during Operations and incorporating adaptive management into mitigation planning is expected to result in reduced mass loading compared to EA predictions (Draft EIS Section 23.5.3 (Adaptive Management).
298.	YNLR (October 12, 2022)	Section 8	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).” This result is somewhat alarming and raises questions about the long-term ecological health of Patterson Lake, and its connected waters.	NexGen acknowledges the reviewer’s comment regarding changes to groundwater quality and the potential to affect Patterson Lake and connected waters. However, NexGen notes that changes to groundwater are not expected to result in significant adverse effects to any valued components, and NexGen plans to implement adaptive management to further minimize Project effects to groundwater quality. Changes to groundwater quality would be limited to the far future as effects would not be expected to occur during Operations. Results from the hydrogeological modelling and assessment were inputs to the hydrology (Draft EIS Section 9) and surface water quality (Draft EIS Section 10) assessments, with the outputs from those assessments considered within the fish and fish habitat (Draft EIS Section 11), vegetation (Draft EIS Section 13), wildlife and wildlife habitat (Draft EIS Section 14), and human health (Draft EIS Section 15) assessments. The EA showed that changes to groundwater would not result in significant adverse effects to any valued components. Although Project effects are not anticipated to be significant, NexGen recognizes the importance of minimizing potential effects to groundwater. NexGen is currently developing an adaptive management plan to manage the specific issue of copper loading to Patterson Lake in the far future. Adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the potentially acid generating and non-potentially acid generating waste rock storage areas during Operations and incorporating adaptive management into mitigation planning is expected to result in reduced mass loading compared to EA predictions (Draft EIS Section 23.5.3 (Adaptive Management).
299.	YNLR (October 12, 2022)	Section 8	The EIS States: “Follow-up and monitoring programs would be implemented to monitor for changes in groundwater quantity and quality, including continued monitoring of background wells located upgradient of the Project footprint (Page iv, Section 8, EIS).” 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.	NexGen acknowledges the reviewer’s comment and confirms that additional measures beyond future monitoring are being developed to facilitate the groundwater quality protection. As an example, NexGen is currently developing an adaptive management plan to manage the specific issue of copper loading to Patterson Lake in the far future. Adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the potentially acid generating and non-potentially acid generating waste rock storage areas during Operations and incorporating adaptive management into mitigation planning is expected to result in reduced mass loading compared to EA predictions (Draft EIS Section 23.5.3 (Adaptive Management).
300.	YNLR (October 12, 2022)	Section 9	YNLR is very concerned about the potential for streams, rivers, wetlands, and lakes to become contaminated by the Project.	NexGen acknowledges the reviewer’s concern. In addition to environmental design features and mitigation measures to be implemented for the Project, NexGen will implement an Environmental Protection Program and supporting processes that contain several mitigation and monitoring plans and utilize adaptive management that will provide a structured approach to decision making that emphasizes accountability and explicitness while also allowing for flexibility to identify and implement new or modify existing mitigation measures. These measures would help minimize potential Project effects to groundwater and surface water.
301.	YNLR (October 12, 2022)	Section 9	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) The maintenance of surface water quality is a very high priority for YNLR	NexGen notes that groundwater level drawdown resulting from Project activities would be local as this effect would be confined to the basement rock and would not affect Patterson Lake water levels (Draft EIS Section 8.5.2.1 [Groundwater Quantity]). NexGen acknowledges that protecting surface water quality represents a high priority. In addition to environmental design features and mitigation measures to be implemented for the Project, NexGen will implement an Environmental Protection Program and supporting processes that contain several mitigation and monitoring plans and utilize adaptive management that will provide a structured approach to decision making that emphasizes accountability and explicitness while also allowing for flexibility to identify and implement new or modify existing mitigation measures. These measures would help minimize potential Project effects to groundwater and surface water.
302.	YNLR (October 12, 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?	NexGen confirms that the tailings management facility for the Fission Patterson Lake South Property was considered within the EA. As noted in Section 10A6.3.2.2 of Draft Appendix 10A (Surface Water Quality Modelling Report), model input data included site surface runoff from the Fission Patterson Lake South Property above-ground tailings management facility, which was then considered within the Reasonably Foreseeable Case for the surface water quality assessment (Draft EIS Section 10.5.2 [Reasonably Foreseeable Case]).

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303.	YNLR (October 12, 2022)	Section 10	YNLR is very concerned with the far-future, cumulative contamination prediction for Patterson Lake.	Although changes to water quality in the far future resulting from Project activities are not predicted to result in significant adverse effects to any valued components, NexGen recognizes the importance of minimizing residual effects. NexGen is currently developing an adaptive management plan to manage the specific issue of copper loading to Patterson Lake in the far future. Adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the potentially acid generating and non-potentially acid generating waste rock storage areas during Operations and incorporating adaptive management into mitigation planning is expected to result in reduced mass loading compared to EA predictions (Draft EIS Section 23.5.3 (Adaptive Management).
304.	YNLR (October 12, 2022)	Section 10	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 72 to result in reductions in the mass loading of cobalt and copper, and other COPCs, to Patterson Lake.” This statement does not assuage YNLR’s concerns. In addition, the long-term contamination from the NexGen and Fission TMFs seems to be unresolved.	NexGen notes that a conservative approach was taken for the surface water quality assessment to align with the precautionary principle. The assumptions in the groundwater solute transfer model included limited source control associated with the waste rock storage areas (WRSAs) and the underground tailings management facility (UGTMF), which means that all infiltration and seepages through and from these facilities generate mass via contact with waste rock and tailings and carry them to the groundwater (Draft EIS TSD XIV [Groundwater Flow and Solute Transport Modelling Report]). Therefore, the modelled results provide a reasonable, conservative representation of the maximum potential changes to surface water quality in Patterson Lake and the downstream environment. However, as part of the Project design, source control would be applied to the WRSAs and UGTMF to reduce and control infiltration and seepage to reduce the potential mass loading from these facilities to the groundwater, which would be expected to result in reductions in the mass loading that was carried into the far-future surface water quality assessment. Despite the measures that would be implemented to protect effects to the receiving environment, NexGen acknowledges the reviewer’s comment. In addition to environmental design features and mitigation measures to be implemented for the Project, NexGen will implement an Environmental Protection Program and supporting processes that contain several mitigation and monitoring plans and implement adaptive management that will provide a structured approach to decision making that emphasizes accountability and explicitness while also allowing for flexibility to identify and implement new or modify existing mitigation measures. These measures would help minimize potential Project effects to groundwater and surface water.
305.	YNLR (October 12, 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). 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.	Detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen’s monitoring plans as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
306.	YNLR (October 12, 2022)	Section 11	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	NexGen confirms that effects to fish survival resulting from changes in public access to fishing areas on the Clearwater River and in Patterson Lake, and increased density of people (e.g., Project staff and contractors) in the area, were evaluated within Draft EIS Section 11.4.2 (Secondary Pathways). With the implementation of mitigation measures such as gating the access road at the mine lease boundary, limiting personal vehicles through the transportation of the workforce via airplane, and avoiding the creation of new access to the Project site, along with continued provincial management of fisheries resources, effects to fish survival were predicted to be minor. While not considered as a mitigation measure within the EA, NexGen will also discuss potential fishing policies to be implemented for the Project with local Indigenous Groups.
307.	YNLR (October 12, 2022)	Section 11	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.	NexGen notes that fish and fish habitat valued components were not the only factors considered in the evaluation of aquatic biodiversity. The biodiversity assessment also considered the potential for changes to lower trophic level organisms including phytoplankton, zooplankton, and benthic invertebrates, which are important components of the aquatic food web and provide the food base for fish.
308.	YNLR (October 12, 2022)	Section 11	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	NexGen maintains that the appropriate effects pathways between the Project and fish and fish habitat were evaluated, including the pathway referenced by the reviewer (Draft EIS Section 11.4 [Project Interactions and Mitigations]). Effects to fish survival resulting from changes in public access to fishing areas on the Clearwater River and in Patterson Lake, and increased density of people (e.g., Project staff and contractors) in the area, were evaluated within Draft EIS Section 11.4.2 (Secondary Pathways). With the implementation of mitigation measures such as gating the access road at the mine lease boundary, limiting personal vehicles through the transportation of the workforce via airplane, and avoiding the creation of new access to the Project site, along with continued provincial management of fisheries resources, effects to fish survival

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				were predicted to be minor. While not considered as a mitigation measure within the EA, NexGen will also discuss potential fishing policies to be implemented for the Project with local Indigenous Groups.
309.	YNLR (October 12, 2022)	Section 11	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	As described in Draft EIS Section 11.2.2.1 (Valued Components), selection of fish and fish habitat valued components (VCs) was informed by Indigenous and Local Knowledge shared during community engagement sessions for the Project in La Loche, Turnor Lake, Buffalo River, and Buffalo Narrows, through the Joint working Group meetings, and within the Indigenous Knowledge and Traditional Land Use Studies (TSD II: BNDN; TSD III: BRDN; TSD IV: MN S; TSD V.1: CRDN; TSD V.2: CRDN; TSD VI: YNLR). Ultimately, lake trout, lake whitefish, walleye, and northern pike were selected as VCs for the fish and fish habitat assessment. These four species were selected as VCs because they represent important ecosystem processes within the local aquatic environment (i.e., they are relatively abundant in Patterson Lake, other nearby lakes, and/or in the Clearwater River), occupy various habitat niches and trophic positions in the food web, and were frequently noted by Indigenous Groups and local priority area communities during engagement as having high value and traditional and cultural importance. White sucker and longnose sucker were also noted during engagement, though were mentioned relatively infrequently compared to species retained as VCs. These species also occupy a similar niche, ecological space, and functional role as lake whitefish, which is also a representative bottom-dwelling and forage species. For these reasons, white sucker and longnose sucker were excluded as VCs.
310.	YNLR (October 12, 2022)	Section 11	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.	As noted in Draft EIS Section 23.5.3 (Adaptive Management), if environmental monitoring detects environmental changes that are different from predicted changes, the adaptive management framework in the relevant management plan would be implemented to determine if and what actions are needed to meet the underlying objectives of minimizing adverse effects and reducing uncertainty. Actions stemming from adaptive management may include more intensive or focused monitoring, specific studies to better understand a particular change in measurement indicators and associated environmental effects, improved or modified Project design, experimental treatments at small scales prior to full scale implementation, or additional mitigation measures.
311.	YNLR (October 12, 2022)	Section 11	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.	NexGen confirms that effects to fish survival resulting from changes in public access to fishing areas on the Clearwater River and in Patterson Lake, and increased density of people (e.g., Project staff and contractors) in the area, were evaluated within Draft EIS Section 11.4.2 (Secondary Pathways). With the implementation of mitigation measures such as gating the access road at the mine lease boundary, limiting personal vehicles through the transportation of the workforce via airplane, and avoiding the creation of new access to the Project site, along with continued provincial management of fisheries resources, effects to fish survival were predicted to be minor. While not considered as a mitigation measure within the EA, NexGen will also discuss potential fishing policies to be implemented for the Project with local Indigenous Groups.
312.	YNLR (October 12, 2022)	Section 11	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 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). 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?	NexGen acknowledges the reviewer’s comment and confirms that the reference in Draft EIS Section 11.3.6.3 (Walleye) to 109 walleye captured in Patterson Lake is erroneous, as 10 walleye were captured in Patterson Lake. Final EIS Section 11.3.6.3 (Walleye) will be revised to state “Of the 336 walleye captured, 10 were captured in Patterson Lake”.
313.	YNLR (October 12, 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	NexGen confirms that Pathway ID F-12 in Table 11.4-1 of Draft EIS Section 11.4 (Project Interactions and Mitigations) provides environmental design features and mitigation measures associated with potential increased human activity near the Project site. One of the mitigation measures proposed is for NexGen to work with local Indigenous Groups and communities to develop fishing policies that consider both fisheries protection and traditional use activities.
314.	YNLR (October 12, 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).	NexGen acknowledges the reviewer’s comment and notes that the Project maximum predicted peak pressure level (PPL) is predicted to be 17 kPa (Draft EIS TSD X [Vibration Effects Analysis Report], Section 3.0), well below the PPL limit of 50 kpa (Colt and Hanna 2005) recommended by Fisheries and Oceans Canada. Therefore, no adverse effects to fish and fish habitat are expected to occur. If separation distances defined in Draft EIS TSD X were approached, site-specific operating mitigation measures could be implemented, as required, to protect fish and fish habitat. At that time, monitoring would be considered as part of the site-specific mitigation measures. **References**

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				Cott P, Hanna B. 2005. Monitoring Explosive-based Winter Seismic Exploration in Waterbodies, NWT 2000-2002. Pages 473-490. In: Proceedings of the Offshore Oil and Gas Environmental Effects Monitoring Workshop: Approaches and Technologies. Battelle Press. Columbus. 601 p + index. 10.13140/2.1.2312.7688.
315.	YNLR (October 12, 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.	Detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the EA process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. NexGen notes that aquatic monitoring, including the selection of sentinel species, would align with Section 3.3 of the Metal Mining Technical Guidance for Environmental Effects Monitoring (Environment Canada 2012). **References** Environment Canada. 2012. Metal Mining Technical Guidance for Environmental Effects Monitoring. Government of Canada.
316.	YNLR (October 12, 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.	NexGen notes that, as stated in Fisheries and Oceans Canada's *Policy for Applying Measures to Offset Adverse Effects on Fish and Fish Habitat under the Fisheries Act* (DFO 2020), "measures to offset may include but are not limited to: ▪ restoring degraded fish habitat to improve conditions for the production of fish. ▪ enhancing fish habitat to improve conditions for the production of fish; and ▪ creating productive and sustainable fish habitat where none existed before." Habitat restoration (i.e., actions taken to return fish habitat to an improved or unimpaired condition) and enhancement (i.e., actions taken to improve fish habitat quality) include physical manipulation of existing fish habitat to improve its capacity to produce and sustain fish. Habitat restoration and enhancement measures may be focused in areas where habitat conditions are considered poor or degraded because such areas provide opportunity for the most ecological benefit. It should be noted that this use of "habitat restoration" in terms of offsetting is not referring to site restoration following disturbance (e.g., regrading bed and banks, revegetation). **References** DFO. 2020. Policy for applying measures to offset adverse effects on fish and fish habitat under the *Fisheries Act.* Accessed November 2020. Available at https://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/policies-politiques-eng.html.
317.	YNLR (October 12, 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	As noted by the reviewer, NexGen confirms that effects to fish survival resulting from changes in public access to fishing areas on the Clearwater River and in Patterson Lake, and increased density of people (e.g., Project staff and contractors) in the area, were evaluated within Draft EIS Section 11.4.2 (Secondary Pathways). With the implementation of mitigation measures such as gating the access road at the mine lease boundary, limiting personal vehicles through the transportation of the workforce via airplane, and avoiding the creation of new access to the Project site, along with continued provincial management of fisheries resources, effects to fish survival were predicted to be minor. Despite the minor effects prediction and as noted by the reviewer, NexGen will also discuss potential fishing policies to be implemented for the Project with local Indigenous Groups. While NexGen recognizes that the Indigenous rights to fish cannot be limited, a policy supported by local Indigenous Groups may assist in limiting effects to fish while at the Project site. NexGen will also work with the Environmental Committees established between NexGen and the primary Indigenous Groups to determine if further mitigation measures should be considered to minimize effects to fish populations.
318.	YNLR (October 12, 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	NexGen agrees with the reviewer that a key measure to minimize increased copper concentrations in Patterson Lake in the far future is source control. However, other mitigation measures may also be available to minimize effects to the environment. Therefore, NexGen is currently developing an adaptive management plan to manage the specific issue of copper loading to Patterson Lake in the far future. Adaptive management would be used to refine source terms, reduce uncertainty in future predictions, and adapt the level of mitigation in response to operational datasets. Monitoring seepages and runoff quality at the potentially acid generating and non-potentially acid generating waste rock storage areas during

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				Operations and incorporating adaptive management into mitigation planning is expected to result in reduced mass loading compared to EA predictions (Draft EIS Section 23.5.3 (Adaptive Management).
319.	YNLR (October 12, 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	NexGen confirms that cumulative effects on aquatic biodiversity were considered within the Draft EIS (Draft EIS Section 11.5.5 [Effects on Biodiversity]). As stated in Draft EIS Section 11.5.5, "the predicted effects of the Project and RFDs on aquatic biodiversity were considered to be negligible."
320.	YNLR (October 12, 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	NexGen maintains that a robust assessment of fish and fish habitat was conducted within the EA and disagrees with the reviewer's comment that there would be increased and persistent fish harvest due to major changes in public access. NexGen notes that the Project is not proposing any new access (i.e., major changes to public access as a result of the Project would not occur). Also, with the implementation of mitigation measures such as gating the access road at the mine lease boundary, limiting personal vehicles through the transportation of the workforce via airplane, and avoiding the creation of new access to the Project site, along with continued provincial management of fisheries resources, effects to fish survival were predicted to be minor. While not considered as a mitigation measure within the EA, NexGen will also discuss potential fishing policies to be implemented for the Project with local Indigenous Groups. For these reasons, the assessment results regarding conclusions to residual effects to fish VCs are appropriate.
321.	YNLR (October 12, 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?	NexGen confirms that some waste rock would be placed within the bottom parts of the mine shafts during the Active Closure Stage (Draft EIS Section 5.5.3.1 [Active Closure Stage]). However, it is not possible to store all waste rock underground at Closure due to the expansion of waste rock when mined, storage of tailings in the underground tailings management facility, and underground placement of waste, including certain decommissioning and reclamation and conventional wastes. As a result of these factors, adequate space underground would not be available for all waste rock permanent waste rock storage areas (WRSAs) on surface would be required. NexGen notes that reclamation is planned for the WRSAs, with the goal of returning the landscape to as close to existing conditions as possible. However, as the local terrain at the WRSAs would be modified and vegetation communities may differ than under existing conditions, these effects on terrain and soils were conservatively assessed as irreversible.
322.	YNLR (October 12, 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?	NexGen maintains that the approach to the ecosystem valued component (VC) selection was appropriate for the EA, which resulted in a comprehensive assessment of vegetation. NexGen confirms that the coarse-filter ecosystem VCs were partitioned into ecosites (Draft EIS Section 13.2.6.1 [Ecological Land Classification])) to ensure that the different seral stages were included within the assessment. Ecosites were also defined for post-fire (i.e., regeneration) ecosite mapping (Draft EIS Section 13.2.6.1.4 [Fire Mapping]). In addition to the ecosystem assessments, a fine-filter approach was applied by assessing effects on 28 plant species identified as important by Indigenous Groups (i.e., traditional use plant species) and species of conservation concern (i.e., rare plants). By using both the coarse- and fine-filter approaches to assessment and by evaluating ecosites on the landscape under existing conditions and following Closure, a comprehensive assessment of vegetation was completed.
323.	YNLR (October 12, 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.	NexGen notes the reviewer's concern and acknowledges the importance of not introducing invasive plant species at the Project site. NexGen will implement a Project-specific Environmental Protection Program that includes actions to prevent, detect, control (i.e., remove), and monitor areas with prohibited, noxious, and nuisance weed / invasive species (e.g., along the access road, airstrip, and loading or staging site), following best practice guidance.
324.	YNLR (October 12, 2022)	Section 13	The EIS States: "Upland ecosystems would be expected to experience the following residual effects Page iii, Section 13, EIS): • 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 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." 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).	NexGen confirms that a key Project goal is to minimize effects to the environment, including potential effects to upland ecosystems. Mitigation measures described in Draft EIS Section 13 (Vegetation) would be implemented to minimize effects. Also, as described in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen's preliminary objective for Closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities and for functional self sustaining, locally common ecosystems on the reclaimed landscape as soon as practical. Additional measures to minimize Project effects and promote ways to improve post-Closure ecosystems will be discussed with Indigenous Groups throughout the Project lifespan through the Environmental Committees established with the primary Indigenous Groups as well as through other engagement activities. As described in Draft EIS Section 6.7.2 (Identification of Mitigation), offsets should be applied for effects that cannot be fully mitigated through avoidance, minimization, and reclamation measures or when temporal losses to the environment would compromise the viability or function of aspects of the environment. As stated in Draft EIS Section 13.5.1.3.2 (Significance Determination), Draft EIS Section 13.5.2.3.2 (Significance Determination), Draft EIS Section 13.5.3.3.2 (Significance Determination), and Draft EIS Section 13.5.4.3.2 (Significance Determination), no significant adverse effects are predicted to occur to upland ecosystems, wetland ecosystems, riparian ecosystems, or traditional use plants, respectively.

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325.	YNLR (October 12, 2022)	Section 13	The EIS States: "Wetland ecosystems would be expected to experience the following residual effects Page iv, Section 13, EIS): • 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) 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." 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	NexGen confirms that an intent for the Project would be to not disturb wetlands, though should disturbance to wetlands be required as part of Project activities, offsetting requirements would be determined at that time. NexGen also confirms that a key Project goal is to minimize effects to the environment, including potential effects to wetland ecosystems. Mitigation measures described in Draft EIS Section 13 (Vegetation) would be implemented to minimize effects. Also, as described in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen's preliminary objective for Closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities and for functional self sustaining, locally common ecosystems on the reclaimed landscape as soon as practical. Additional measures to minimize Project effects and promote ways to improve post-Closure ecosystems will be discussed with Indigenous Groups throughout the Project lifespan through the Environmental Committees established with the primary Indigenous Groups as well as through other engagement activities.
326.	YNLR (October 12, 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	Based on Environment Canada guidelines, a 30 m buffer was applied around natural waterbodies (e.g., ponds, lakes) and to each side of watercourse features (e.g., creeks, streams), which resulted in 60 m-wide setback corridors. NexGen confirms that a key Project goal is to minimize effects to the environment, including potential effects to riparian ecosystems. Mitigation measures described in Draft EIS Section 13 (Vegetation) would be implemented to minimize effects. Also, as described in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen's preliminary objective for Closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities and for functional self sustaining, locally common ecosystems on the reclaimed landscape as soon as practical. Additional measures to minimize Project effects and promote ways to improve post-Closure ecosystems will be discussed with Indigenous Groups throughout the Project lifespan through the Environmental Committees established with the primary Indigenous Groups as well as through other engagement activities.
327.	YNLR (October 12, 2022)	Section 13	Again, YNLR believes that permanent losses in traditional plant use habitats should be offset in some manner.	NexGen confirms that a key Project goal is to minimize effects to the environment, including potential effects to traditional use plant species. Mitigation measures described in Draft EIS Section 13 (Vegetation) would be implemented to minimize effects. Also, as described in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen's preliminary objective for Closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities and for functional self-sustaining, locally common ecosystems on the reclaimed landscape as soon as practical. Additional measures to minimize Project effects and promote ways to improve post-Closure ecosystems will be discussed with Indigenous Groups throughout the Project lifespan through the Environmental Committees established with the primary Indigenous Groups as well as through other engagement activities. As described in Draft EIS Section 6.7.2 (Identification of Mitigation), offsets should be applied for effects that cannot be fully mitigated through avoidance, minimization, and reclamation measures or when temporal losses to the environment would compromise the viability or function of aspects of the environment. As stated in Draft EIS Section 13.5.4.3.2 (Significance Determination), no significant adverse effects are predicted to occur to traditional use plants.
328.	YNLR (October 12, 2022)	Section 13	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. YNLR believes that such monitoring is critical in order to maintain the ecological health of the forest.	NexGen acknowledges the reviewer's comment.
329.	YNLR (October 12, 2022)	Section 14	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.	NexGen confirms that it is confident that the valued components (VCs) selected for the wildlife and wildlife habitat assessment were appropriate, resulting in a comprehensive assessment of potential Project effects. NexGen recognizes that the VCs selected for the EA represent a small proportion of the species present in the ecosystem. However, selection of VCs to focus an EA is an accepted practice (Beanlands and Duinker 1983; CNSC 2021; CEA

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			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 as common nighthawk, barn swallow and bank swallow. Why? Is NexGen confident that a sufficient number and variety of VCs have been selected?	Agency 2018), where the selection of appropriate VCs allows an EA to be focused on those aspects of the biophysical, cultural, and socio-economic environments that are of greatest importance to both society and species conservation. With respect to the specific questions asked by the reviewer, NexGen provides the following information: ▪ Grey wolf and beaver were selected to be representative of furbearers. Assessment of little brown myotis is also representative of effects on late successional stage forests, which is representative of habitat suitable for fisher and marten. ▪ Olive-sided flycatchers provide a representative indicator for other aerial insectivores recorded in the RSA (e.g., barn swallow, common nighthawk) and for songbirds that use coniferous forest, snags, forest edges, and openings near meadows and ponds. Assessment of olive-sided flycatcher is also representative of habitat-related effects on spruce grouse that occupy similar forest edge habitats. ▪ Rusty blackbird represents an indicator for other insectivore species that may also be affected by environmental contaminants as the rusty blackbird diet is similar to that of bank swallow, barn swallow, and common nighthawk. Assessment of rusty blackbird is also representative of effects on horned grebe and yellow rail, which use similar small waterbodies and are potentially located within, but were not recorded within, the RSA. ▪ Common goldeneye and mallard were selected to be representative of waterfowl species. Indigenous Groups and LPA community members identified ducks in general as important species that are hunted and are a key part of traditional diets. ▪ Effects to common nighthawk, barn swallow, and northern myotis were also evaluated through a screening-level assessment that included cumulative effects and determination of significance (Draft Appendix 14A [Species at Risk Screening Assessment]). Bank swallow was not detected during baseline studies. ▪ NexGen will include a screening-level assessment of yellow-banded bumble bee, gypsy-cuckoo bumble bee, transverse lady beetle, and nine-spotted lady beetle in the Final EIS Appendix 14A (Species at Risk Screening Assessment). In consideration of the information provided above, NexGen maintains that the approach for selecting wildlife and wildlife habitat VCs was appropriate, follows best practices, and resulted in a comprehensive assessment of wildlife and wildlife habitat.
330.	YNLR (October 12, 2022)	Section 14	YNLR supports the selection of woodland caribou as a VC, and believes it deserves special consideration for this assessment.	NexGen agrees with the reviewer that woodland caribou represents an important species in the wildlife and wildlife habitat assessment.
331.	YNLR (October 12, 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	NexGen notes that Draft EIS Section 14.3.1.3 (Survival and Reproduction) describes how predation, including predation by wolves, can be a dominant limiting factor to woodland caribou populations (Hayes et al 2003; ECCC 2020). As noted in Section 14.3.1.3, due to the existing wolf density, wolves are likely the primary predator limiting caribou populations in the Project regional study area. Increased hunting pressure on woodland caribou is not expected. As noted in Draft EIS Section 14.5.1.3.2 (Significance Determination), the access road to the site already exists and upgrades to the access road for the Project are expected to result in no measurable change to existing access for hunting.
332.	YNLR (October 12, 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.	NexGen acknowledges the reviewer's comment and confirms that effects to moose as a result of increased traffic and disturbance as well as the potential for increased hunting were considered within the Draft EIS. Vehicle injury and mortality to moose resulting from increased Project-related traffic was evaluated in the EA. As part of the Environmental Protection Program and supporting processes, an education program would be implemented that details to staff, contractors, and visitors how to take all reasonable precautions to avoid wildlife collisions. In addition, implementation of mitigation measures including staff, contractor, and visitor orientations; giving wildlife the right of way; identification of wildlife crossings; leaving gaps in road berms and snowbanks; mandatory encounter and incident reporting; and speed limit adjustments are expected to result in only a minor increase in injury or mortality to individual animals from vehicle-wildlife collisions relative to existing conditions (Draft EIS Section 14.4.2 [Secondary Pathways]). Therefore, further assessment of this pathway was not required. Moose habitat loss and habitat alteration resulting from increased disturbance was assessed as a primary pathway. The Project would result in a loss of 56.7 ha of high suitability moose habitat, which represents a change of 0.5% of high suitability habitat in the regional study area (RSA). At Closure, reclamation is predicted to reverse effects on disturbed areas and provide adequate material for the development of productive soils and support the establishment and succession of vegetation communities with similar function to natural ecosystems not influenced by the Project (Draft EIS Section 14.5.2.1.1 [Habitat Availability]). Suitable moose habitat is well distributed and connected in the RSA, and the Project is predicted to only have a small effect on the regional moose movements and distribution (Draft EIS Section 14.5.2.1.2 [Habitat Distribution]).

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				Changes in public access to hunting areas and increased density of people (e.g., Project staff and contractors) in the area affecting wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for hunting (Draft EIS Section 14.4.2 [Secondary Pathways]). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary are also expected to minimize potential effects to moose. Overall, the Project is not predicted to have significant adverse effects to moose. However, additional measures to minimize Project effects and promote ways to improve post-closure ecosystems will be discussed with Indigenous Groups throughout the Project lifespan through the Environmental Committees established with the primary Indigenous Groups as well as through other engagement activities.
333.	YNLR (October 12, 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.	NexGen confirms that changes in public access to hunting areas and increased density of people (e.g., Project staff and contractors) in the area affecting wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for hunting (Draft EIS Section 14.4.2 [Secondary Pathways]). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary are also expected to minimize potential effects to wildlife, including grey wolf.
334.	YNLR (October 12, 2022)	Section 14	YNLR is concerned with an increase in human-bear conflict once the Project in 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.	NexGen confirms that potential effects to black bear resulting from wildlife attractants such as food refuse were evaluated within the EA. As part of the Environmental Protection Program and supporting processes, measures such as prohibition against feeding wildlife, storing food refuse in wildlife-proof containers prior to disposal or incineration, and lined contact water ponds either fenced or fit with animal egress matting or ramps are expected to result in negligible adverse effects to wildlife, including black bear (Draft EIS Section 14.4.2 [Secondary Pathways]). NexGen further confirms that changes in public access to hunting areas and increased density of people (e.g., Project staff and contractors) in the area affecting wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for hunting (Draft EIS Section 14.4.2). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary are also expected to minimize potential effects to wildlife, including black bear. Overall, Project effects to black bear are predicted to be not significant.
335.	YNLR (October 12, 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	NexGen confirms that changes in public access to trapping areas and increased density of people (e.g., Project staff and contractors) in the area affecting wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for trapping (Draft EIS Section 14.4.2 [Secondary Pathways]). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary are also expected to minimize potential effects to wildlife, including beaver.
336.	YNLR (October 12, 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	NexGen notes the following rationale for the inclusion of little brown myotis as a valued component (Draft EIS Section 14.2.2.1.1 [Selection and Screening Methods]): ▪ Little brown myotis is present in the regional study area and is a federal species at risk. They are insectivores that could be affected by environmental contaminants through ingestion of insects. ▪ Assessment of little brown myotis is representative of effects on northern myotis, which is also listed under Schedule 1 of the *Species at Risk Act* as Endangered (Government of Canada 2021) and dependent on open forest or edge habitat in wet areas for foraging on insects. ▪ Assessment of little brown myotis is also representative of effects on late successional stage forests, which is representative of habitat suitable for fisher and marten. NexGen agrees that white nose syndrome, if it were to occur, would have a much larger impact on the population than the Project. However, it is important to understand habitat changes that may affect the ability of the species to remain self-sustaining and ecologically effective. **References**

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				Species at Risk Act. SC. 2002, c 29. Last amended 23 April 2021. Available at https://laws-lois.justice.gc.ca/eng/acts/s-15.3/.
337.	YNLR (October 12, 2022)	Section 14	YNLR is unclear why the olive-sided flycatcher was selected as a VC for the Project assessment	NexGen notes the following rationale for the inclusion of olive-sided flycatcher as a valued component (Draft EIS Section 14.2.2.1.1 [Selection and Screening Methods]): ▪ Olive-sided flycatcher has been recorded in the local study area and regional study area (RSA) and is a federal species at risk. ▪ Olive-sided flycatchers may be affected by environmental contaminants through their ingestion of insects. Olive-sided flycatchers provide a representative indicator for other aerial insectivores recorded in the RSA (e.g., barn swallow, common nighthawk). ▪ Assessment of olive-sided flycatcher is representative of songbirds that use coniferous forest, snags, forest edges, and openings near meadows and ponds. ▪ Assessment of olive-sided flycatcher is also representative of habitat-related effects on spruce grouse that occupy similar forest edge habitats.
338.	YNLR (October 12, 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	NexGen notes the following rationale for the inclusion of rusty blackbird as a valued component (Draft EIS Section 14.2.2.1.1 [Selection and Screening Methods]): ▪ Rusty blackbird has been recorded in the regional study area (RSA) and is a federal species at risk. ▪ Rusty blackbirds may be affected by environmental contaminants through their ingestion of insects. Rusty blackbird provides a representative indicator for other insectivore species that may also be affected by environmental contaminants such as bank swallow, barn swallow, and common nighthawk. ▪ Rusty blackbirds occupy various wetlands and wet forests including bogs, fens, swamps, wet meadows, wet forest openings, and floodplain forests. ▪ Assessment of rusty blackbird is representative of effects on horned grebe and yellow rail, which use similar small waterbodies and are potentially located within, but were not recorded within, the RSA.
339.	YNLR (October 12, 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	NexGen confirms that changes in public access to hunting areas and increased density of people (e.g., Project staff and contractors) in the area affecting wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for trapping (Draft EIS Section 14.4.2 [Secondary Pathways]). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary are also expected to minimize potential effects to wildlife, including common goldeneye.
340.	YNLR (October 12, 2022)	Section 14	Hunting pressure on the Mallard will likely increase due to the presence of camps	NexGen confirms that changes in public access to hunting areas and increased density of people (e.g., Project staff and contractors) in the area affecting wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for trapping (Draft EIS Section 14.4.2 [Secondary Pathways]). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary are also expected to minimize potential effects to wildlife, including mallard.
341.	YNLR (October 12, 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?	NexGen confirms that amphibian acoustic baseline surveys were conducted for the Project and that leopard frogs were not detected (Draft EIS Annex VIII.2 [Wildlife Baseline Report 2 {Amphibians, Birds, and Bats}], Section 4.0). Sixteen nocturnal acoustic surveys, including field visits and autonomous recording unit (ARU) data recordings, were completed for amphibian species. Two species of amphibians were detected in the area of the Project: Canadian toads and wood frogs. Canadian toads were the most commonly detected amphibians heard during the in-situ and ARU surveys and were found at four survey locations. Northern leopard frogs were not detected either during the amphibian auditory surveys or incidentally during other baseline field activities. Additionally, there was no indication of northern leopard frogs from the automated recognition of data from ARU recordings. As Canadian toads have been confirmed in the regional study area during baseline surveys, it was selected as a VC rather than northern leopard frog.
342.	YNLR (October 12, 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.	As noted by the reviewer, NexGen confirms that effects to fish and wildlife survival resulting from changes in public access to fishing and hunting areas in the area of the Project, and increased density of people (e.g., Project staff and contractors) in the area, were evaluated within Draft EIS Section 11.4.2 (Secondary Pathways) and Draft EIS Section 14.4.2 (Secondary Pathways). With the implementation of mitigation measures such as gating the access road at the mine lease boundary, limiting personal vehicles through the transportation of the workforce via airplane, and avoiding the creation of

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				new access to the Project site, along with continued provincial management of fisheries and wildlife resources, effects to fish and wildlife survival were predicted to be minor. Sensory disturbance to wildlife was evaluated as a primary pathway within the EA (Draft EIS Section 14.4.3 [Primary Pathways]) and assessed in the residual effects analysis (Draft EIS Section 14.5 [Residual Effects Analysis]). Sensory disturbance was not predicted to result in significant adverse effects to any valued components with the exception of woodland caribou. For woodland caribou, effects would be minor, though as effects in the SK2 West Caribou Administrative Unit under existing conditions are already significant (i.e., not self-sustaining for woodland caribou), any Project sensory effects would also be significant. To mitigate potential Project effects to woodland caribou, NexGen is working with provincial and federal regulatory agencies and local Indigenous Groups to develop a Caribou Mitigation and Offsetting Plan. With respect to woodland caribou, NexGen notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant. NexGen will work with the Environmental Committees established between NexGen and the primary Indigenous Groups to determine if further mitigation measures should be considered to minimize effects to fish and wildlife populations.
343.	YNLR (October 12, 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.	NexGen is in the process of developing a Caribou Mitigation and Offsetting Plan (CMOP) through engagement with the Saskatchewan Ministry of Environment, federal regulatory agencies, and primary Indigenous Groups to meet legislated requirements and align with Indigenous goals. NexGen notes that the schedule for completion of the CMOP is largely reliant on the timing of collaborative efforts between all parties contributing to the CMOP development. NexGen notes that a condition of the 8 November 2023 provincial EA approval for the Project requires NexGen to submit a woodland caribou mitigation and offset plan to the ENV prior to initiating construction of the Project. In addition, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
344.	YNLR (October 12, 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	NexGen notes that decreases in habitat over periods of time does not necessarily result in significant adverse effects to species-at-risk valued components (VCs). The significance of adverse residual effects on wildlife VCs followed the approach described in Draft EIS Section 6.9.2 (Significance Determination) and Draft EIS Section 14.2.9 (Residual Effects Classification and Determination of Significance). Significance was determined using a weight-of-evidence approach that evaluated changes in the three measurement indicators and ecological context (i.e., resilience and adaptability), followed by comparing these changes to the assessment endpoints, which represent significance thresholds. Adverse residual effects were determined to be significant if the wildlife VC is not expected to be self-sustaining or ecologically effective at the scale of the regional study area, except caribou, which was assessed at the scale of the SK2 West Caribou Administration Unit.
345.	YNLR (October 12, 2022)	Section 14	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. YNLR supports this commitment and expects to be involved in any future decisions regarding woodland caribou conservation.	NexGen is in the process of developing a Caribou Mitigation and Offsetting Plan (CMOP) through engagement with the Saskatchewan Ministry of Environment, federal regulatory agencies, and primary Indigenous Groups to meet legislated requirements and align with Indigenous goals. NexGen notes that the schedule for completion of the CMOP is largely reliant on the timing of collaborative efforts between all parties contributing to the CMOP development. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.

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				NexGen welcomes YNLR comments with respect to the Caribou Mitigation and Offsetting Plan as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
346.	YNLR (October 12, 2022)	Section 14	As with other Project monitoring commitments, YNLR will be looking to see that such programs are open, transparent, and statistically robust.	NexGen acknowledges the reviewer's comment
347.	YNLR (October 12, 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	NexGen confirms that it is confident that the valued components (VCs) selected for the wildlife and wildlife habitat assessment were appropriate, resulting in a comprehensive assessment of potential Project effects, including effects to biodiversity. NexGen recognizes that the VCs selected for the EA represent a small proportion of the species present in the ecosystem. However, selection of VCs to focus an EA is an accepted practice (Beanlands and Duinker 1983; CNSC 2021; CEA Agency 2018), where the selection of appropriate VCs allows an EA to be focused on those aspects of the biophysical, cultural, and socio-economic environments that are of greatest importance to both society and species conservation.
348.	YNLR (October 12, 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?	NexGen confirms that the human health risk assessment (HHRA) was prepared considering data and experience from other Canadian nuclear projects (CSA 2019; CSA 2020) and to be compliant with Canadian Standards Association Group (CSA) N288.6-12 *Environmental Risk Assessments for Class I Nuclear Facilities and Uranium Mines and Mills* (CSA 2012). The HHRA assessment also meets the requirements for an environmental risk assessment (ERA) outlined in Section 4.1 of REGDOC-2.9.1, Environmental Principles, Assessments and Protection Measures (CNSC 2020). The ERA has been developed with current science and regulatory perspectives in mind. **References** CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, Environmental Principles, Assessments and Protection Measures, Version 1.2. September 2020. ISBN 978-0-660-06255-6. Available at http://nuclearsafety.gc.ca/eng/pdfs/REGDOCS/REGDOC-2-9-1-Environmental-Principles-Assessments-and-Protection-Measures-eng.pdf. CSA (Canadian Standards Association Group). 2012. CSA N288.6-12: Environmental Risk Assessments at Class I Nuclear Facilities and Uranium Mines and Mills. CSA. 2019. CSA N288.4-19: Environmental monitoring programs at nuclear facilities and uranium mines and mills. CSA. 2020. CSA N288.1-20: Guidelines for calculating derived release limits for radioactive material in airborne or liquid effluents for normal operation of nuclear facilities.
349.	YNLR (October 12, 2022)	Section 15	It is likely that many nuclear energy workers will also consume traditional foods (see Page 18-57).	NexGen notes that, as described in Section 5.1.1. of Draft EIS TSD XXI (Environmental Risk Assessment), nuclear energy workers are outside of the scope of the human health risk assessment (HHRA) in the EIS. Consistent with CSA N288.6-12 (CSA 2012), nuclear energy workers would be classified and monitored in accordance with the requirements of the Radiation Protection Program, and therefore did not require assessment in the HHRA. NexGen also notes that the HHRA assumed that some workers at the Project were assumed to frequent the local study area (LSA) and consume Traditional Foods, and fish, hunt, and harvest from the LSA when not working. For this reason, camp workers at the Project were assessed in the HHRA. Camp workers were assumed to consume Traditional Foods in their overall annual diet when not at work, with an ingestion rate consistent with an Indigenous Group's high consumer of Traditional Foods (Draft TSD XXI, Section 5.1.3). **References** CSA (Canadian Standards Association Group). 2012. CSA N288.6-12: Environmental Risk Assessments at Class I Nuclear Facilities and Uranium Mines and Mills.
350.	YNLR (October 12, 2022)	Section 16 Figure 16.1-1	Figures 16.1-1 shows the Athabasca Denesųłiné reserves but does not name the First Nations or show our community locations. Further, the map does not show the Athabasca Denesųłiné traditional territory. The map should show this information. This information has been available to the public since 2008 - prior to the beginning	NexGen notes that Figure 16.1-1 in Draft EIS Section 16.1 (Introduction) is intended to focus on the Project location at different scales rather than portray community locations. NexGen also notes that it was not NexGen's intent to provide

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			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 Denesųłiné 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 Denesųłiné traditional territory herein as Figure 2.	traditional territories in Draft EIS figures; rather, First Nation treaty information and the Métis Nation – Saskatchewan (MN-S) region information (e.g., MN-S Northern Region 2) are included within the Draft EIS.
351.	YNLR (October 12, 2022)	Section 16.1.2	In the purpose and approach to the assessment. The Athabasca Denesųłiné 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 Denesųłiné during Step 2 has implications for subsequent steps	NexGen maintains that an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
352.	YNLR (October 12, 2022)	Section 16.2.1	The YNLR prepared (with financial support from NexGen) the 2020 Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – on behalf of the Athabasca Denesųłiné communities including Black Lake Denesųłiné First Nation, Fond du Lac Denesųłiné First Nation, and the Hatchet Lake Denesųłiné 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 Denesųłiné have been improperly excluded from the primary Indigenous group category.	NexGen maintains that the categorization of the YNLR as an 'other Indigenous Group' is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
353.	YNLR (October 12, 2022)	Section 16.2.2.1	The Athabasca Denesųłiné 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 Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – prepared by YNLR on behalf of the Athabasca Denesųłiné communities including Black Lake Denesųłiné First Nation, Fond du Lac Denesųłiné First Nation, and the Hatchet Lake Denesųłiné First Nation without the benefit of continuous and supporting discussion with NexGen.	NexGen maintains that the categorization of the YNLR as an 'other Indigenous Group' is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and

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				CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). NexGen notes that the community information sessions and activities were conducted within the local priority area. With the exception of the Métis-specific community information sessions held in October 2022, the community information sessions conducted to date were open for anyone who wished to attend, including the Athabasca Denesųłiné. For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
354.	YNLR (October 12, 2022)	Section 16.2.2.2	As noted herein, the Athabasca Denesųłiné 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 Denesųłiné 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.	NexGen maintains that the categorization of the YNLR as an 'other Indigenous Group' is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
355.	YNLR (October 12, 2022)	Section 16.2.3	Unfortunately, the omission of the Athabasca Denesųłiné means that their traditional territory, Treaty area, traditional land and resource uses, and their cultural connections to the landscape were missed.	As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
356.	YNLR (October 12, 2022)	Figure 16.2-1	Figure 3 (in YNLR comments) overlays the Athabasca Denesųłiné 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	NexGen acknowledges the reviewer's comment and notes that, as part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game,

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			and both the LSA and RSA. In fact, Athabasca Denesųłiné traditional territory covers approximately 86% of the LSA. the This Athabasca Denesųłiné 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]	small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
357.	YNLR (October 12, 2022)	Section 16.2.4	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. The potential impacts to Athabasca Denesųłiné rights and interests over such a lengthy period of time makes their limited inclusion in the EIS all the more egregious.	NexGen maintains that an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
358.	YNLR (October 12, 2022)	Section 16.2.6	While the Athabasca Denesųłiné 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	NexGen maintains that an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
359.	YNLR (October 12, 2022)	Section 16.2.8	The Athabasca Denesųłiné 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.	NexGen maintains that an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC

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				LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
360.	YNLR (October 12, 2022)	Section 16.3.2	The Athabasca Denesųłiné 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	NexGen maintains that the categorization of the YNLR as an ‘other Indigenous Group’ is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
361.	YNLR (October 12, 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 Denesųłiné 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 Denesųłiné assertions of traditional territory and land use	NexGen maintains that an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
362.	YNLR (October 12, 2022)	Section 16.3.3.4.1	The Athabasca Denesųłiné 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	NexGen notes that the section referenced by the reviewer discusses the Buffalo River Dene Nation members travelling north to places such as Fond du Lac and Uranium City and does not suggest Athabasca Denesųłiné land use in the local study area.
363.	YNLR (October 12, 2022)	Section 16.3.3.5	It is incorrect to state that the AD traditional use does not overlap the LSA. The Athabasca Denesųłiné 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	As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).

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364.	YNLR (October 12, 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 Denesųłiné. Where there are, or have been caribou, there have been Athabasca Denesųłiné. The following map (Figure 6) produced by the BQCMB shows that the Athabasca Denesųłiné Traditional Territory, the NexGen Project's Indigenous Land and Resource Use's LSA both fall almost entirely within the range of the barren-ground caribou	NexGen acknowledges the importance of barren-ground caribou to the Athabasca Denesųłiné and that barren-ground caribou may occasionally be present in the area of the Project. However, as noted in Draft EIS Section 14.2.2.1.1.4 (Indigenous Considerations), barren-ground caribou are believed to avoid the area due to wildfires over the past several decades and that collar data suggest that the winter ranges of the Bathurst and Qamanirjuak herds of barren ground caribou do not currently overlap with the Patterson Lake area (Golder 2014; Virgl et al. 2017; Government of Northwest Territories 2019). **References** Golder (Golder Associates Ltd.). 2014. Final Environment Impact Statement (FEIS) – Meliadine Gold Project, Nunavut: Volume 6 Terrestrial Environment Impact Assessment. Prepared for Agnico Eagle Mines Limited by Golder Associates Ltd. Burnaby, BC. Virgl JA, Rettie WJ, Coulton DW. 2017. Spatial and temporal changes in seasonal range attributes in a declining barren-ground caribou herd. Rangifer 37(1): 31–46. Government of Northwest Territories. 2019. Bathurst Caribou Range Plan. Environment and Natural Resources, Government of Northwest Territories, Yellowknife, NT. 86 + iii pp.
365.	YNLR (October 12, 2022)	Section 16.3.3.5	The Athabasca Denesųłiné's traditional territory and documented land use includes almost all of the LSA (see Figures 3 and 4 in the YNLR comment).	As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9).
366.	YNLR (October 12, 2022)	Section 16.4.3 Section 24	Given their treatment as a non-primary Indigenous group thus far in the EA, the Athabasca Denesųłiné 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 Denesųłiné believe that they should be full participants in any such endeavours	As noted by the reviewer, additional mitigation monitoring mechanisms, including those to be identified or completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In addition to the collaboration to be conducted with the primary Indigenous Groups with respect to monitoring programs, NexGen welcomes YNLR comments with respect to NexGen's monitoring plans as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
367.	YNLR (October 12, 2022)	Section 16.5.1.2.3. Section 24.4.1.3.3	The Athabasca Denesųłiné believe that they should be full participants in any Caribou Mitigation and Offsetting Plan.	NexGen is in the process of developing a Caribou Mitigation and Offsetting Plan (CMOP) through engagement with the Saskatchewan Ministry of Environment, federal regulatory agencies, and primary Indigenous Groups to meet legislated requirements and align with Indigenous goals. The schedule for completion of the CMOP is largely reliant on the timing of collaborative efforts between all parties contributing to the CMOP development. NexGen welcomes YNLR comments with respect to the Caribou Mitigation and Offsetting Plan as part of the engagement activities conducted between NexGen and the YNLR. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.

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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
368.	YNLR (October 12, 2022)	Section 16.7	The statement of limitation also applies to the Athabasca Denesųłiné as noted specifically in their IKTLU study… "This study does not represent all Denesųłiné 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.	NexGen confirms that, as noted in Draft EIS Section 16.7 (Prediction Confidence and Uncertainty), the preliminary Athabasca Denesųłiné Indigenous Knowledge and Traditional Land Use (IKTLU) Study was used as a basis for the Draft EIS; the preliminary IKTLU Study did not contain the statement referenced by the reviewer. Since Draft EIS preparation, the Athabasca Denesųłiné have submitted an updated IKTLU Study that contains the language referenced by the reviewer; therefore, NexGen will add the Athabasca Denesųłiné to the citation referenced by the reviewer in Final EIS Section 16.7 (Prediction Confidence and Uncertainty).
369.	YNLR (October 12, 2022)	Section 16.8	The Athabasca Denesųłiné 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.	NexGen maintains that the categorization of the YNLR as an 'other Indigenous Group' is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis, including engagement specific to monitoring plans. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
370.	YNLR (October 12, 2022)	Section 17	Would not the active exclusion of unauthorized people from the Project area also affect other land and resource use?	NexGen confirms that the access to and area available for other land and resource use (Draft EIS Section 17.4.3 [Primary Pathways]) acknowledges that the presence of Project infrastructure could restrict access and reduce area available for or displace other land and resource users. This pathway was assessed in Draft EIS Section 17.5.5.1 (Access to and Area Available for Land and Resource Use).
371.	YNLR (October 12, 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 the baseline studies showed that several lakes in the area are showing signs of overharvest)	NexGen confirms that changes in public access to fishing and hunting areas and increased density of people (e.g., Project staff and contractors) in the area affecting fish and wildlife reproduction and survival was evaluated in the EA. The Project would not increase access for humans and predators as an access road to the area of the Project already exists, and upgrades to the access road are expected to result in no measurable change to existing access for fishing (Draft EIS Section 11.4.2 [Secondary Pathways]) or hunting (Draft EIS Section 14.4.2 [Secondary Pathways]). Mitigation measures such as installing a gatehouse to control access to the Project site and not allowing employees to hunt within the mine lease boundary, along with exploring a fishing policy with local Indigenous Groups, are also expected to minimize potential effects to fish and wildlife. NexGen also notes that the reviewer's statement regarding the baseline studies showing overharvesting is occurring in several of the area lakes, is incorrect. The baseline fish and fish habitat field studies were conducted to characterize the aquatic environment within the anticipated area of the Project and specifically to document fish community composition and relative abundance (Draft EIS Annex V.1 [Aquatic Environment Baseline Report]). The results provide information on species presence and relative abundance (e.g., how common a species is to others within the same lake), though do not evaluate the current effects of fish harvesting within the waterbodies or watercourses assessed. Sport fishing in Saskatchewan is regulated by *The Fisheries Regulations under The Fisheries (Saskatchewan) Act, 2020*. All recreational anglers are required to have an angling licence from ENV and follow the regulations outlined in the Anglers Guide (Government of Saskatchewan 2021).

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				References *The Fisheries (Saskatchewan) Act, 2020*. SS 2020, c 23. Effective 3 July 2020. Available at https://www.canlii.org/en/sk/laws/stat/ss 2020 c 23/latest/ss 2020 c 23.html. The Fisheries Regulations. RRS c F 16.1 Reg 1 under *The Fisheries (Saskatchewan) Act*, 1994. Effective 9 May 1995. Available at https://www.canlii.org/en/sk/laws/regu/rrs-c-f-16.1-reg-1/latest/rrs-c-f-16.1-reg-1.html. Government of Saskatchewan. 2021. Saskatchewan Angler's Guide 2021- 2022. Accessed November 2021. Available at https://www.saskatchewan.ca/residents/parks-culture-heritage-and-sport/hunting-trapping-and-angling/angling.
372.	YNLR (October 12, 2022)	Section 18.2.6.2	To the best of our knowledge, no Athabasca Denesųłiné members participated in the key person interviews. The Athabasca Denesųłiné 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	NexGen maintains that the categorization of the YNLR as an 'other Indigenous Group' is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
373.	YNLR (October 12, 2022)	Section 18.2.6.3	While the Athabasca Denesųłiné 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	NexGen maintains that an appropriate level of engagement has been conducted with the Athabasca Denesųłiné. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the Athabasca Denesųłiné, including potential effects to Athabasca Denesųłiné land and resource use. As part of the evaluation of the potential of the Project to affect the Athabasca Denesųłiné, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the Athabasca Denesųłiné for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no Athabasca Denesųłiné traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the Athabasca Denesųłiné (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). NexGen notes that the community information sessions and activities were conducted within the local priority area. With the exception of the Métis-specific community information sessions held in October 2022, the community information sessions conducted to date were open for anyone who wished to attend, including the Athabasca Denesųłiné.

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374.	YNLR (October 12, 2022)	Section 18.3.6.1	The YNLR prepared (with financial support from NexGen under a limited Study Agreement) the 2020 Report - Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment – on behalf of the Athabasca Denesųłiné communities including Black Lake Denesųłiné First Nation, Fond du Lac Denesųłiné First Nation, and the Hatchet Lake Denesųłiné First Nation. This study clearly shows that our traditional territory, Treaty, and land/resource use overlap with the LSA and the RSA. 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.	NexGen acknowledges the reviewer’s comment and will amend footnote No. 28 in Final EIS Section 18.3.6.1 (Traditional Economy Participation and Income) to better align with the information provided in Figure 2 of the Provision of Athabasca Denesųłiné Traditional Knowledge, Land Use and Occupancy Information for the NexGen Rook 1 Project Environmental Assessment.
375.	YNLR (October 12, 2022)	Section 18.4	The Athabasca Denesųłiné believe that their categorization as an “other” Indigenous group is incorrect (and hence AD are excluded from the LPA) and 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.	NexGen maintains that the categorization of the YNLR as an ‘other Indigenous Group’ is appropriate as the Project is not expected to result in direct adverse effects to the YNLR. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), several factors were considered when determining the potential for the Project to affect Indigenous Groups including the proximity of the Project to Indigenous communities; Indigenous Group traditional and current land uses; potential Project effects on health and safety, the environment, and any potential or established Aboriginal or Treaty Rights and related interests of Indigenous Groups; and the scope of the requests to participate in the EA process communicated to Indigenous Groups by the ENV and CNSC. An analysis of these factors showed that minimal cumulative effects would be experienced by the YNLR, including potential effects to YNLR land and resource use. As part of the evaluation of the potential of the Project to affect the YNLR, NexGen reviewed the Indigenous Knowledge and Traditional Land Use (IKTLU) Study completed by the YNLR for the Project (Draft EIS TSD VI: YNLR). The IKTLU Study showed that traditional activities including big game, small game, furbearer, plant, and fish harvesting occur northeast of the local study area (LSA) while overnight sites exist to the north and east of the LSAs for all valued components (VCs) (Draft EIS Section 16.3.3.5 [Athabasca Denesųłiné]; Draft EIS TSD VI: YNLR). In addition to information presented within the IKTLU, no YNLR traditional land use activities within the VC LSAs were identified through engagement activities conducted between NexGen and the YNLR (Draft EIS Appendix 2A, Table 2A-7, Table 2A-8, Table 2A-9). For the reasons stated above, NexGen maintains that the designation of the YNLR as an other Indigenous Groups is appropriate. NexGen looks forward to continued engagement with the YNLR on this basis. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.
376.	YNLR (October 12, 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	NexGen appreciates the reviewer’s comment and confirms that NexGen’s vision is to conduct sustainable, responsible Project development that makes a lasting positive impact environmentally, socially, and economically (Draft EIS Section 1.1.2 [NexGen Vision, Values, and Approach]). NexGen looks forward to continued engagement with the YNLR.
377.	YNLR (October 12, 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	NexGen appreciates the reviewer’s comment and confirms that NexGen’s vision is to conduct sustainable, responsible Project development that makes a lasting positive impact environmentally, socially, and economically (Draft EIS Section 1.1.2 [NexGen Vision, Values, and Approach]). NexGen agrees about the importance of protecting the land. NexGen will implement an Environmental Protection Program and supporting processes that contain several mitigation measures and monitoring plans and utilizes adaptive management to support environmental protection throughout the Project lifespan.
378.	YNLR (October 12, 2022)	Section 18.4	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): • 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	NexGen acknowledges the reviewer’s comment and looks forward to continued discussions with the YNLR regarding potential Project benefits such as education, training, employment, and contract opportunities. In this regard and since the submission of the Draft EIS, NexGen and the YNLR have signed an engagement agreement that formalizes engagement processes for the Project (where NexGen has committed to information sharing) as well as any NexGen exploration programs not related to the Project where the YNLR or any YNLR community has been identified as a rights holder.

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			• 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%) 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)." YNLR supports this initiative and is interested in entering cooperative agreements with both NexGen and Fission	
379.	YNLR (October 12, 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.	NexGen confirms that the effect that increased income may have with respect to participation in the traditional economy was evaluated within the Draft EIS. As discussed within Pathway ID CWB-03 of Draft EIS Section 18.4.1 (Beneficial Pathways), the ability to participate in the traditional economy as a result of Project-related wage employment and participation in a commuter rotation system are anticipated to be beneficial but may have an overall neutral effect. While increased income could contribute to success in traditional economy through the purchase of supplies and equipment needed for traditional economy activities, time required for Project employment could also reduce opportunities to participate in the traditional economy. Therefore, the increased harvest pressure of natural resources as a result of changes to participation in the traditional economy are anticipated to be minor.
380.	YNLR (October 12, 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 • Monitor progress on achieving employment and contracting targets and identify opportunities to improve employment and contracting outcomes • Maintain ongoing communication and dialogue with local communities to identify and resolve issues • Contribute to the overall continual improvement of the Project 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. YNLR approves of these arrangements and looks forward to contributing towards the realization of sustainable development in the north	NexGen appreciates the reviewer's comment and confirms that NexGen's vision is to conduct sustainable, responsible Project development that makes a lasting positive impact environmentally, socially, and economically (Draft EIS Section 1.1.2 [NexGen Vision, Values, and Approach]). NexGen looks forward to continued engagement with the YNLR.
381.	YNLR (October 12, 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 Denesųłiné communities also in the Regional Study Area.	NexGen notes that Figure 19.2-3 in Draft EIS Section 19.2-5 (Spatial Boundaries) is intended to focus on reasonably foreseeable developments for the community well-being assessment rather than portray communities in the regional study area.
382.	YNLR (October 12, 2022)	Section 20	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: 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.	NexGen maintains that a comprehensive EA has been completed for the Project and is confident that potential effects on people or the environment have been appropriately characterized. In addition, NexGen notes that negative adverse effects were not predicted for the cultural and heritage and economy valued components. NexGen also notes that Draft EIS Section 20 (Summary of Residual Project and Cumulative Effects) presents a tabular summary of the residual effects classification and significance determination for valued components (VCs), with the supporting context and rationale provided within the EA discipline sections. The context and rationale to support the residual effects classification of VCs may be found in the Draft EIS as described in the following list: ▪ Section 7.4 (Climate Change)

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			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 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). 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. 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. 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.	▪ Section 11 (Fish and Fish Habitat) ▪ Section 13 (Vegetation) ▪ Section 14 (Wildlife and Wildlife Habitat) ▪ Section 15 (Human Health) ▪ Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use) ▪ Section 17 (Other Land and Resource Use) ▪ Section 18 (Economy) ▪ Section 19 (Community Well-Being) NexGen maintains that the information provided within these sections supports the conclusion of the EA, including the significance rankings for all VCs. With respect to the reviewer's comment regarding work camps, NexGen confirms that the increased density of people resulting from Project activities, including the presence of workers on site in work camps, were included in the fish and fish habitat (Draft EIS Section 11.4.2 [Secondary Pathways]) and wildlife and wildlife habitat (Draft EIS Section 14.4.2 [Secondary Pathways]) assessments, as well as multiple other discipline assessments (e.g., vegetation, Indigenous land and resource use, other land and resource use). NexGen also notes that the reviewer's statement regarding the baseline studies showing overharvesting is occurring in several of the area lakes, is incorrect. The baseline fish and fish habitat field studies were conducted to characterize the aquatic environment within the anticipated area of the Project and specifically to document fish community composition and relative abundance (Draft EIS Annex V.1 [Aquatic Environment Baseline Report]). The results provide information on species presence and relative abundance (e.g., how common a species is to others within the same lake), though do not evaluate the effects of fish harvesting within the waterbodies or watercourses assessed. NexGen would also like to note that the company has conducted significant engagement with local Indigenous Groups and communities, regulatory agencies, and stakeholders to help facilitate the development of a quality Project. Key examples include minimizing the Project footprint, storing tailings underground in a cemented form, and planning for independent Indigenous monitoring throughout the Project lifespan. This approach, in addition to NexGen's vision and values and the associated paradigms adopted by the Project development team, as well as the conservative approach undertaken in the EA, has resulted in a comprehensive EA that accurately characterizes potential effects on people or the environment. For these reasons, NexGen respectfully disagrees with the YNLR opinion that the residual effects analyses are collectively overoptimistic. Regardless, NexGen agrees with the YNLR that robust follow-up and monitoring measures are necessary. NexGen will implement an Integrated Management System for the Project, which will include an Environmental Management Program and supporting processes that contains several mitigation measures and monitoring plans and utilize adaptive management to support environmental protection throughout the Project lifespan.
383.	YNLR (October 12, 2022)	Section 21	YNLR supports the level of consultation with indigenous people on accidents and malfunctions, and expects the dialogue to be ongoing.	NexGen acknowledges the reviewer's comment and looks forward to continued engagement with the YNLR as the Project progresses.
384.	YNLR (October 12, 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?	NexGen acknowledges the reviewer's comment but notes that vehicle-wildlife collisions were assessed to be very likely (Draft EIS Section 21.7.5.3 [Risk Measurement and Evaluation]) over the Project lifespan. With the implementation of mitigation measures, an overall risk rating of low was designated for vehicle-wildlife collisions.
385.	YNLR (October 12, 2022)	Section 23	YNLR is ready to continue working on a long-term, collaborative, and mutually beneficial relationship with NexGen	NexGen acknowledges the reviewer's comment and looks forward to continued engagement with the YNLR as the Project progresses.

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386.	YNLR (October 12, 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	NexGen maintains that a comprehensive EA has been completed for the Project and is confident that potential effects on people or the environment have been appropriately characterized. As noted in Draft EIS Section 24.3 (Scope and Approach of the Environmental Assessment), the EA was conducted in a careful and precautionary manner to avoid or mitigate possible environmental effects. Considering the precautionary approach undertaken and the use of conservative assumptions throughout the EA, there is a moderate to high level of confidence that the effects on valued components (VCs) and intermediate components have not been underestimated (Draft EIS Section 24.4.3 [Assessment Confidence]). Although Project effects were predicted to be not significant for all VCs with the exception of woodland caribou, NexGen agrees with the reviewer's comment that robust follow-up and monitoring measures are necessary. As part of the Project Integrated Management System, NexGen will implement an Environmental Management Program and supporting processes that contain several mitigation measures and monitoring plans and utilize adaptive management to support environmental protection throughout the Project lifespan. With respect to woodland caribou, NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.

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387.	Northern Village of Île-à-la-Crosse (Île-à-la-Crosse) (October 12, 2022)	Section 1.2.3	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 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. 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 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 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. 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. Île-à-la-Crosse requests that it be added and included in the LPA.	NexGen recognizes that Île-à-la-Crosse is a historic and contemporary Métis community and acknowledges their concerns regarding not being included in the Project local priority area (LPA). However, NexGen maintains that the Project LPA includes the appropriate communities and will not be adjusting the boundaries to include Île-à-la-Crosse. Notwithstanding the establishment and designation of the LPA, NexGen confirms that engagement has and will continue to be conducted with Indigenous Groups and members of the public outside of the LPA, including Île-à-la-Crosse, and that education, training, and employment opportunities will also be available to communities within Saskatchewan's Northern Administrative District (NAD), which includes Île-à-la-Crosse. NexGen confirms that a detailed and thorough process was undertaken to establish the LPA communities for the Project. The intent of the LPA is to include the communities that are anticipated to experience most of the Project effects and for which NexGen would prioritize local training, employment, and business opportunities (Draft EIS Section 1.2.3 [Indigenous and Community Setting]). The LPA boundaries were established through NexGen's Indigenous Group and stakeholder identification process. A key purpose of this process was to assist NexGen with understanding the individuals and groups that would most likely be affected by the Project. This process was conducted in accordance with CNSC's REGDOC-3.2.2 Version 1.1, Indigenous Engagement (CNSC 2019) (note: CNSC 2019 is consistent with the updated REGDOC-3.2.2, Version 1.2 [CNSC 2022]) and was informed through direct correspondence and discussion with Indigenous leaders, community members, and other organizations in the region; review of publicly available information; and guidance provided by provincial and federal regulatory agencies. As a preliminary step, Indigenous Groups that were identified for potential engagement were mapped along the consultation activity spectrum as outlined in the Table 1 of REGDOC-3.2.2 Version 1.1 considering each Indigenous Group's potential to be affected by or to influence the Project, their proximity to the Project, their traditional territory, and their level of interest expressed in the Project. NexGen confirms that engagement with Indigenous Groups on previous projects in northern Saskatchewan was also considered. Through this exercise, NexGen confirmed that Île-à-la-Crosse would not be expected to experience considerable adverse effects. Key information was also presented by the government in the letters inviting Indigenous Groups to participate in the EA process for the Project. These letters initially suggested which Indigenous Groups should be considered for full engagement (i.e., invited to participate) based on likely Project effects and those who should be considered as other groups for engagement (i.e., informed). With respect to the Métis communities, the CNSC only submitted a letter to the Métis Nation – Saskatchewan (MN-S) Northern Region 2 (NR2). On 2 May 2019, the CNSC published a notice of commencement of the EA for the Project, seeking input on participation opportunities and soliciting comments from the public and Indigenous Groups on the Project Description (NexGen 2019), including local, regional, or traditional knowledge of the site or surrounding environment, or other relevant information that may help with the conduct of the EA. It is NexGen's understanding that no response from Île-à-la-Crosse was received. Shortly thereafter, NexGen formally notified Île-à-la-Crosse of the commencement of the EA process by a letter dated 12 June 2019. NexGen did not receive a response from Île-à-la-Crosse regarding the commencement of the Project EA process. Since before the initiation of exploration activities, NexGen has also been engaging with MN-S NR2 Locals. Communication from both the MN-S and MN-S NR2 stated that all MN-S NR2 Locals were to be engaged with respect to the Project; there was no request made by the MN-S to engage with the MN-S Northern Region 3 Locals, which includes Île-à-la-Crosse. Following initiation of the EA process and in consideration of information obtained through engagement activities and the execution of regulatory requirements, NexGen refined the engagement framework and determined the LPA boundaries and primary Indigenous Groups. The LPA boundaries were scoped to include all MN-S NR2 Locals for fulsome engagement in respect of the Project. Despite not being included within the LPA, Île-à-la-Crosse has remained as an engagement community for public engagement (Draft EIS Section 2.4.2.2.1 [Members of the Public], Table 2.4-6). Île-à-la-Crosse has been provided key Project information throughout the EA process, including prior to Draft EIS submission. As of the Draft EIS submission in May 2022, Île-à-la-Crosse had neither provided NexGen with any expression of interest in participating in the EA process nor offered any other indication that Île-à-la-Crosse should be engaged as a primary Indigenous group. With respect to the Île-à-la-Crosse comments regarding expected effects associated with Highway 155, NexGen notes that Draft EIS TSD IX (Transportation Risk Assessment), shows that risks of vehicle accidents causing spills or injury would be low, with the exception of a potential vehicle-human accident, which was conservatively predicted to be moderate due to the potential consequence of a vehicle hitting a pedestrian. This type of accident would be more likely to occur within a populated area along the Project transport route where pedestrians are common; Île-à-la-Crosse is

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				adjacent to, but not directly located on, the Project transport route. NexGen notes that the Project workers would fly to and from the Project site; therefore, additional traffic associated with workers going to and from their work shifts would not occur. With respect to concerns with the potential degradation of Highway 155 as a result of the Project, NexGen notes that a condition of the provincial EA approval is for NexGen and the Saskatchewan Ministry of Highways to enter into a road maintenance cost sharing agreement. This agreement would support the ongoing maintenance of local highways during the Project lifespan. In addition to this measure, NexGen will invite communities along Highway 155, including Île-à-la-Crosse, to participate in the development of the Project Emergency Response Plan that would be developed as part of the Project. Feedback received would be considered in the development of the applicable management plans and procedures related to transportation. These management plans and procedures would consider processes related to transportation planning and management, driver training, traffic control measures such as speed limits and signage, radiation exposure monitoring and protection, spill and emergency response, environmental monitoring, regulatory notification and external communication, and transportation emergency response. When considering all of these factors, Île-à-la-Crosse would not be expected to experience considerable adverse effects in respect to local roads, including Highway 155. With respect to the Île-à-la-Crosse comments regarding potential socio-economic effects, NexGen notes that education, training, and employment opportunities will be available for Île-à-la-Crosse residents as Project benefits are not limited to the identified LPA communities. Île-à-la-Crosse is located within Saskatchewan's NAD and NexGen is committed to ongoing engagement with, and providing meaningful benefits to, communities within the NAD throughout the Project lifespan. In addition, NexGen has established aspirational targets to facilitate Indigenous and local employment, training, and contracting opportunities; interested and sufficiently qualified citizens of Île-à-la-Crosse will have an opportunity to participate in the Project. Since submission of the Draft EIS, NexGen has reached out to Île-à-la-Crosse and has met with the Sakitawak Development Corporation (Sakitawak; the business arm of Île-à-la-Crosse) regarding potential Project-related opportunities for Île-à-la-Crosse and Sakitawak. NexGen will continue to engage with Île-à-la-Crosse regarding Project opportunities. In addition, as described in Draft EIS Section 18.2.3 (Spatial Boundaries), NexGen would be required to obtain a Mineral Surface Lease Agreement for the Project from the Government of Saskatchewan; it is expected that the lease will include a range of provisions, including reporting on socio-economic benefits for all residents of the NAD. When considering all of these factors, it is expected that Île-à-la-Crosse would experience benefits rather than adverse socio-economic effects. In summary, NexGen has taken a detailed and thorough approach to engagement that considered the potential of the Project to affect regional communities, including Île-à-la-Crosse. This process followed applicable regulatory guidance and was informed by direct correspondence and discussion with Indigenous leaders, community members, and other organizations in the region and review of publicly available information. Through this process, an LPA was established that focuses on communities that are expected to experience most of the Project effects and for which NexGen would prioritize local training, employment, and business opportunities. However, inclusion within the LPA is not required for northern Saskatchewan communities, including Île-à-la-Crosse, to experience Project opportunities. In consideration of these factors, NexGen maintains that the communities included within the LPA are appropriate and the inclusion of Île-à-la-Crosse within the LPA is not required. **References** CNSC (Canadian Nuclear Safety Commission). 2019. REGDOC-3.2.2, Indigenous Engagement, Version 1.1. August 2019. ISBN: 978-0-660-04518 4. Available at http://www.nuclearsafety.gc.ca/pubs_catalogue/uploads/REGDOC-3-2-2-Aboriginal-Engagement-version-1.1-eng.pdf. CNSC. 2022. REGDOC-3.2.2, Public and Indigenous Engagement: Indigenous Engagement, Version 1.2. February 2022. ISBN: 978-0-660-41607-6. Available at https://www.cnsc-ccsn.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-2-v1-2/. NexGen (NexGen Energy Ltd.). 2019. Rook I Project – Indigenous Engagement Report. Submitted to Canadian Nuclear Safety Commission. Prepared for and submitted by NexGen. April 2019.
388.	Île-à-la-Crosse (October 12, 2022)	Table 1.2-1	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. 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 all the "other Indigenous Groups" identified in the EIS	NexGen recognizes that Île-à-la-Crosse is a historic and contemporary Métis community and acknowledges their concerns regarding not being designated as a primary Indigenous Group or included in the Project local priority area (LPA). However, NexGen maintains that the primary Indigenous Groups and Project LPA have been appropriately designated. Notwithstanding the establishment and designation of the LPA, NexGen confirms that engagement has and will continue to be conducted with Indigenous Groups and members of the public outside of the LPA, including Île-à-la-Crosse, and that education, training, and employment opportunities will also be available to communities within Saskatchewan's Northern Administrative District (NAD), which includes Île-à-la-Crosse.

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			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. 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.	NexGen confirms that a detailed and thorough process was undertaken to establish the primary Indigenous Groups and LPA communities for the Project. Specifically, the primary Indigenous Groups and LPA boundaries were established through NexGen's Indigenous Group and stakeholder identification process. A key purpose of this process was to assist NexGen with understanding the individuals and groups that would most likely be affected by the Project. This process was conducted in accordance with CNSC's REGDOC-3.2.2 Version 1.1, Indigenous Engagement (CNSC 2019) (note: CNSC 2019 is consistent with the updated REGDOC-3.2.2, Version 1.2 [CNSC 2022]) and was informed through direct correspondence and discussion with Indigenous leaders, community members, and other organizations in the region; review of publicly available information; and guidance provided by provincial and federal regulatory agencies. As a preliminary step, Indigenous Groups that were identified for potential engagement were mapped along the consultation activity spectrum as outlined in the Table 1 of REGDOC-3.2.2 Version 1.1 considering each Indigenous Group's potential to be affected by or to influence the Project, their proximity to the Project, their traditional territory, and their level of interest expressed in the Project. NexGen confirms that engagement with Indigenous Groups on previous projects in northern Saskatchewan was also considered. Through this exercise, NexGen confirmed that Île-à-la-Crosse would not be expected to experience considerable adverse effects. Key information was also presented by the government in the letters inviting Indigenous Groups to participate in the EA process for the Project. These letters initially suggested which Indigenous Groups should be considered for full engagement (i.e., invited to participate) based on likely Project effects and those who should be considered as other groups for engagement (i.e., informed). With respect to the Métis communities, the CNSC only submitted a letter to the Métis Nation – Saskatchewan (MN-S) Northern Region 2 (NR2). On 2 May 2019, the CNSC published a notice of commencement of the EA for the Project, seeking input on participation opportunities and soliciting comments from the public and Indigenous Groups on the Project Description (NexGen 2019), including local, regional, or traditional knowledge of the site or surrounding environment, or other relevant information that may help with the conduct of the EA. It is NexGen's understanding that no response from Île-à-la-Crosse was received. Shortly thereafter, NexGen formally notified Île-à-la-Crosse of the commencement of the EA process by a letter dated 12 June 2019. NexGen did not receive a response from Île-à-la-Crosse regarding the commencement of the Project EA process. Since before the initiation of exploration activities, NexGen has also been engaging with MN-S NR2 Locals. Communication from both the MN-S and MN-S NR2 stated that all MN-S NR2 Locals were to be engaged with respect to the Project; there was no request made by the MN-S to engage with the MN-S Northern Region 3 Locals, which includes Île-à-la-Crosse. Following initiation of the EA process and in consideration of information obtained through engagement activities and the execution of regulatory requirements, NexGen refined the engagement framework and determined the LPA boundaries and primary Indigenous Groups. The LPA boundaries were scoped to include all MN-S NR2 Locals (i.e., primary Indigenous Group) for fulsome engagement in respect of the Project. Despite not being designated as a primary Indigenous Groups or being included within the LPA, Île-à-la-Crosse has remained as an engagement community for public engagement (Draft EIS Section 2.4.2.2.1 [Members of the Public], Table 2.4-6). Île-à-la-Crosse has been provided key Project information throughout the EA process, including prior to Draft EIS submission. As of the Draft EIS submission in May 2022, Île-à-la-Crosse had neither provided NexGen with any expression of interest in participating in the EA process nor offered any other indication that Île-à-la-Crosse should be engaged as a primary Indigenous group. NexGen notes that education, training, and employment opportunities will be available for Île-à-la-Crosse residents as Project benefits are not limited to the identified LPA communities. Île-à-la-Crosse is located within Saskatchewan's NAD and NexGen is committed to ongoing engagement with, and providing meaningful benefits to, communities within the NAD throughout the Project lifespan. In addition, NexGen has established aspirational targets to facilitate Indigenous and local employment, training, and contracting opportunities; interested and sufficiently qualified citizens of Île-à-la-Crosse will have an opportunity to participate in the Project. Since submission of the Draft EIS, NexGen has reached out to Île-à-la-Crosse and has met with the Sakitawak Development Corporation (Sakitawak; the business arm of Île-à-la-Crosse) regarding potential Project-related opportunities for Île-à-la-Crosse and Sakitawak. NexGen will continue to engage with Île-à-la-Crosse regarding Project opportunities. In addition, as described in Draft EIS Section 18.2.3 (Spatial Boundaries), NexGen would be required to obtain a Mineral Surface Lease Agreement for the Project from the Government of Saskatchewan; it is expected that the lease will include a range of provisions, including reporting on socio-economic benefits for all residents of the NAD.

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				In summary, NexGen has taken a detailed and thorough approach to engagement that considered the potential of the Project to affect regional communities, including Île-à-la-Crosse. This process followed applicable regulatory guidance and was informed by direct correspondence and discussion with Indigenous leaders (including feedback received from the MN-S and MN-S NR2), community members, and other organizations in the region and review of publicly available information. Through this process, primary Indigenous Groups were confirmed and an LPA was established that focuses on communities that are expected to experience most of the Project effects and for which NexGen would prioritize local training, employment, and business opportunities. However, inclusion within the LPA is not required for northern Saskatchewan communities, including Île-à-la-Crosse, to experience Project opportunities. In consideration of these factors, NexGen maintains that the primary Indigenous Groups and LPA have been appropriately designated. **References** CNSC (Canadian Nuclear Safety Commission). 2019. REGDOC-3.2.2, Indigenous Engagement, Version 1.1. August 2019. ISBN: 978-0-660-04518 4. Available at http://www.nuclearsafety.gc.ca/pubs_catalogue/uploads/REGDOC-3-2-2-Aboriginal-Engagement-version-1.1-eng.pdf. CNSC. 2022. REGDOC-3.2.2, Public and Indigenous Engagement: Indigenous Engagement, Version 1.2. February 2022. ISBN: 978-0-660-41607-6. Available at https://www.cnsc-ccsn.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-2-v1-2/. NexGen (NexGen Energy Ltd.). 2019. Rook I Project – Indigenous Engagement Report. Submitted to Canadian Nuclear Safety Commission. Prepared for and submitted by NexGen. April 2019.

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389.	Athabasca Chipewyan First Nation (ACFN) (October 28, 2022)		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. Shortcomings in methods involve model validation, characterization of future climates in effects assessments and temporal scope for change in future climates.	NexGen maintains that the hydrology assessment provides a reliable and accurate characterization of Project effects, including how Project effects could be modified by climate change. The anticipated effect of climate change on hydrology relative to the Base Case was assessed independently from the effects of the Project and other developments. Four sensitivity scenarios were also modelled to understand uncertainty in climate change projections and quantify sensitivity of the model to the range of potential climate change outcomes as presented in Draft EIS Appendix 9A (Hydrological Modelling Summary Report). This approach has produced a fulsome understanding of potential effects associated with climate change. NexGen acknowledges that direct validation of the hydrology model was not possible because all available hydrometric monitoring data were used for model calibration. However, potential model uncertainty was managed by conducting an independent validation using regional data to verify model performance. Therefore, NexGen is confident that the model outputs provide an accurate representation of expected changes to the hydrological environment. NexGen notes that, should the Project be approved, hydrological models will be further verified using measured data collected under the Environmental Monitoring Plan.
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.	NexGen maintains that the baseline data collected for the Project was appropriate for the determination of Project effects and meets regulatory requirements. The baseline hydrometric data collection program is summarized in Draft EIS Section 9.2.6.1 (Baseline Hydrology Monitoring and Studies) and presented in greater detail in Draft EIS Annex IV.2 (Hydrometric Monitoring Report). The baseline period extended from August 2018 to October 2020 capturing seasonal variation and a range of hydrological conditions. For example, based on streamflow and water levels, summer 2018 and spring 2019 were dry and summer 2019 and spring 2020 were wet. NexGen confirms that hydrological monitoring has continued beyond the period presented in the Draft EIS (i.e., 2018 to 2020) and continues to improve the overall understanding of receiving environment hydrology. NexGen further confirms that monitoring data supports the Draft EIS modelling and is within the variation predicted. NexGen notes that the landscape in the RSA is highly permeable, resulting in relatively few small headwater watercourses. The model used for hydrological simulation modelling was developed to account for subsurface routing of runoff to the central lake chain. This approach is appropriate in consideration of the regional conditions.
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.	NexGen confirms that appropriate socio-economic baseline information is provided in Draft EIS Annex X (Socio-economic Baseline Report). NexGen also notes that the assessment of cumulative effects on Indigenous land and resource use is provided in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use). The assessment of effects includes consideration of the Base Case, which includes influences from previous and existing developments and natural factors (i.e., fire, floods, and drought), the Application Case, which includes the Base Case plus effects from the Project, and the Reasonably Foreseeable Development Case, which includes the Base Case, Application Case, and effects from reasonably foreseeable developments. Therefore, all cumulative effects on the Indigenous land and resource use valued component were considered and compared against the assessment endpoint of continued ability to participate in Indigenous land and resource use activities. For this reason, cumulative effects on Indigenous land and resource use have been 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.	NexGen confirms that the Draft EIS incorporated Indigenous Knowledge regarding the navigability of the Clearwater River and an assessed the potential changes to surface water flow and stream channel parameters. As referenced in Draft EIS Section 9.3.6 (Stream Channel Parameters), the CRDN have reported that seasonal water level changes affect river travel in general within their traditional lands and that travel on the Clearwater River is very difficult and technically challenging for canoes because of the many rapids and need for portages (TSD V.2: CRDN). The CRDN also expressed concerns about changes to water levels and flows on the Clearwater River from the Project, which could affect travel on the river (TSD V.2: CRDN). Increases in flows downstream of the Project may result in small changes in Clearwater River channel parameters. Predicted changes in river channel parameters using wetted area as the representative parameter are provided in Table 9.6-8 of Draft EIS Section 9.6.1.3 (Stream Channel Parameters). Increases in wetted area are predicted to be a maximum of 1.2% at all locations and are not expected to be large enough to be detectable or to affect navigation, including water-based access. Therefore, changes in water surface elevations are not expected to affect open water navigation of the Clearwater River or downstream lakes for Indigenous land and resource users or recreationists (Draft EIS Section 9.6.1.3).

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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.	NexGen acknowledges that direct validation of the hydrology model was not possible because all available hydrometric monitoring data were used for model calibration. However, potential model uncertainty was managed by conducting an independent validation using regional data to verify model performance. NexGen maintains that the application of indirect model validation based on regional data over a lengthy time period demonstrates that the continuous simulations reflect natural variations observed for a longer period than Project-specific baseline monitoring would permit. Therefore, NexGen is confident that the model outputs provide an accurate representation of expected changes to the hydrological environment, including localized changes from the Project. NexGen notes that, should the Project be approved, hydrological models will be further verified using measured data collected under the Environmental Monitoring Plan.
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.	NexGen maintains that the methods used for the hydrology assessment are appropriate and that further evaluation of various ranges of future climates is not warranted. The intent of the hydrology assessment was to characterize the effects of the Project on measurement indicators in the receiving environment. The anticipated effect of climate change on hydrology relative to the Base Case was assessed independently from the effects of the Project and other developments. This enabled the assessment to examine the relative contributions of effects from Project, reasonably foreseeable developments, and climate change and predict the combined effects.
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.	NexGen confirms that the future projected climate change predictions include the anticipated Project lifespan temporal range. As noted in Draft EIS Section 9.2.7 (Climate Change), monthly climate change factors developed for the 2050s includes the years 2041 through 2070, which were applied to the full climate time series used as input to the climate change hydrological simulations. The 2050s (i.e., 2041 to 2070) represents a reasonable upper bound in terms of climate change during the Project lifespan. No changes to the EIS are required.
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 (p16-15); Section 16.2.7 (p16-26); Section 16-5	Provide an Indigenous navigation effects assessment including a thorough and systematic description of the navigation requirements of Traditional-use activities.	NexGen confirms that the Draft EIS incorporated Indigenous Knowledge regarding the navigability of the Clearwater River and assessed the potential changes to surface water flow and stream channel parameters. As referenced in Draft EIS Section 9.3.6 (Stream Channel Parameters), the CRDN have reported that seasonal water level changes affect river travel in general within their traditional lands and that travel on the Clearwater River is very difficult and technically challenging for canoes because of the many rapids and need for portages (TSD V.2: CRDN). The CRDN also expressed concerns about changes to water levels and flows on the Clearwater River from the Project, which could affect travel on the river (TSD V.2: CRDN). Increases in flows downstream of the Project may result in small changes in Clearwater River channel parameters. Predicted changes in river channel parameters using wetted area as the representative parameter are provided in Table 9.6-8 of Draft EIS Section 9.6.1.3 (Stream Channel Parameters). Increases in wetted area are predicted to be a maximum of 1.2% at all locations and are not expected to be large enough to be detectable or to affect navigation, including water-based access. Therefore, changes in water surface elevations are not expected to affect open water navigation of the Clearwater River or downstream lakes for Indigenous land and resource users or recreationists (Draft EIS Section 9.6.1.3).
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.	NexGen confirms that the approach undertaken to characterize the existing environment and assess Project effects meets regulatory requirements and has included conservative approaches and assumptions applied to industry-standard models based on measured data, in conjunction with Intergovernmental Panel on Climate Change-endorsed climate scenarios. Therefore, NexGen disagrees with the reviewer's opinions regarding insufficient baseline data, inappropriate consideration of projected climates, and lack of model validation and maintains that predictions based on the methods utilized in the hydrology assessment carry a high degree of confidence (Draft EIS Section 9.8 [Prediction Confidence and Uncertainty]).
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	Please revise the total phosphorous water quality Project Threshold to 10 µg/L, from 20 µg/L.	NexGen maintains that the proposed total phosphorous Project water quality threshold of 20 µg/L is appropriate. The limit used for setting the Project threshold for aquatic productivity using total phosphorus (i.e., 20 µg/L) is based on the associated trophic condition at the upper bound of the mesotrophic status per the interim Ontario provincial guideline for phosphorus (MOEE 1994), which is consistent with the same trophic category using total phosphorus in Canadian lakes and rivers (Environment Canada 2004; CCME 2004). NexGen selected this specific limit for the total phosphorus Project threshold because below this concentration, nuisance concentrations of algae in the local lakes would be expected to be avoided. **References**

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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
		Concentration, p. 10-62 to 10-64 Table 10.3-7		CCME. 2004. Canadian Water Quality Guidelines for the Protection of Aquatic Life: Phosphorus: Canadian Guidance Framework for the Management of Freshwater Systems. In: Canadian Environmental Quality Guidelines, 2004. Winnipeg, MB, Canada. Environment Canada. 2004. Canadian guidance framework for the management of phosphorus in freshwater systems. Scientific Supporting Document. National Guidelines and Standards Office, Water Policy and Coordination Directorate, Environment Canada, Ottawa, ON. MOEE (Ontario Ministry of Environment and Energy). 1994. Water management: policies, guidelines, provincial water quality objectives. Accessed September 2021. Available at https://www.ontario.ca/page/water-management-policies-guidelines-provincial-water-quality-objectives.
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.	The selection of contaminants of potential concern (COPCs) for Project thresholds for sediment quality (i.e., arsenic, cobalt, copper, molybdenum, uranium, lead-210, polonium-210, uranium-234, uranium-238, thorium-230, and radium-226) was driven by the environmental risk assessment (ERA) screening. For a sediment quality constituent to be screened in as a COPC, at least one of the following conditions needed to be met: ▪ The maximum predicted sediment concentration of a sediment quality constituent in Patterson Lake North Arm – West Basin during the Application Case, including the maximum upper bound scenario and the far-future projection, was greater than a sediment quality guideline (the sediment constituents that met this condition were arsenic, molybdenum, lead-210, and polonium-210). ▪ The sediment constituent was identified as a COPC in the surface water quality assessment (the sediment constituents that met this condition were cobalt and copper). ▪ The sediment constituent required an evaluation for toxicity and radiotoxicity (the sediment constituent that met this condition was uranium). ▪ The sediment constituent was a Project-focused radionuclide (the sediment constituents that met this condition were uranium-234, uranium-238, thorium-230, and radium-226). Sediment quality constituents with existing guidelines that did not meet any of the listed conditions above (e.g., cadmium, chromium, lead, nickel, mercury, selenium, vanadium, zinc) did not screen in as COPCs for the Project and therefore did not require a sediment quality Project threshold. For each of these non-COPC sediment constituents, NexGen maintains there is a negligible risk that increasing concentrations in sediment would present a hazard to aquatic biota or other users. As such, they were not evaluated further in the sediment quality assessment or the ERA. The sediment quality guidelines and literature sources specific to the uranium industry used for the assessment included the following (Draft EIS TSD XXI [Environmental Risk Assessment], Section 4.2.3.3): ▪ Saskatchewan reference values for uranium operations (Burnett-Seidel and Liber 2013), which were prioritized as they are specific to Saskatchewan waterbodies; ▪ reference values for uranium mining and milling industry in Canada (Thompson et al. 2005), as these guidelines are specific to uranium mining and milling; and ▪ the CCME sediment quality guidelines (CCME 1999), which are generic guidelines that are applicable to all waterbodies in Canada. **References** Burnett-Seidel C, Liber K. 2013. Derivation of no-effect and reference-level sediment quality values for application at Saskatchewan uranium operations. Environmental Monitoring and Assessment. 185(11): 9481-9494. CCME (Canadian Council of Ministers of the Environment), 1999. Canadian Sediment Quality Guidelines for the Protection of Freshwater Aquatic Life (updated September 2007). Thompson PA, Kurias J, Mihok S. 2005. Derivation and use of sediment quality guidelines for ecological risk assessment of metals and radionuclides released to the environment from uranium mining and milling activities in Canada. Environmental Monitoring and Assessment. 110:71-85.
400.	ACFN (October 28, 2022)	10.3.1.2 Water Quality (Risk to Aquatic Life and	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.	a) NexGen agrees that there are aspects of the baseline water and sediment quality data characterized in Draft EIS Section 10 (Surface Water Quality and Sediment Quality) that reference multiple samples being reported as less than a detection limit. However, the application of setting half the detection limit (1/2 DL) substitutes for non-detect data for the COPCs in

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		Terrestrial Life) and Drinking Water Quality Constituent Concentrations, p. 10-57 10.3.1.3 Productivity Status Constituent Concentration, p. 10-62	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.	characterizing the baseline condition for the COPCs is considered reasonable. The high proportion of non-detect data for certain constituents of potential concern (COPCs) (e.g., total phosphorus, most metals and radionuclides) suggests that the substitution of 1/2 DL may represent an overestimate of baseline concentrations. This overestimation represents a level of conservatism when evaluating the incremental effects of the Project discharges to the receiving environment. b) NexGen agrees that monitoring needs to consider the analytical resolution of constituent analysis (e.g., total phosphorus) to reduce the uncertainty of measured results at or below detection. NexGen has reviewed the limits of detection for monitored COPCs through ongoing baseline programs and the Effluent and Emissions Monitoring Plan and/or the Environmental Monitoring Plan and has arranged to use analytical packages with lower detection limits for ongoing and future monitoring. Consequently, constituents with relatively low Project Threshold concentrations will be measured with greater certainty.
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?	NexGen confirms that sediment quality data were not standardized to particle size for the sediment quality baseline setting; particle size distribution was reported for each sample taken in 2019 and 2020 at each sample site. NexGen maintains that providing the non-standardized baseline data represents an appropriate approach and notes that data monitoring stations were co-located for sediment quality and benthic invertebrate sampling, which allows the evaluation of exposure of benthic invertebrates to sediment-associated constituents of potential concern.
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	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.	NexGen confirms that data were not pooled to derive the existing condition setting for downstream assessment nodes. To derive the existing conditions setting, water quality data from the 11 waterbodies and five watercourse sites sampled between 2015 and 2020 within and near the local study area were collated and evaluated. Summary existing condition surface water quality data for each lake are presented in Table 10.3-3 through Table 10.3-6 of Draft EIS Section 10.3.1.2 (Water Quality [Risk to Aquatic Life and Terrestrial Life] and Drinking Water Quality Constituent Concentrations) and Table 8 in Attachment 10A-1 of Draft EIS Appendix A (Surface Water Quality Modelling Report), which were generated from lake-specific baseline data.
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.	NexGen acknowledges the reviewer’s comment though notes that the regional study area has been relatively undisturbed by direct human development (<1%). As a result, Base Case conditions largely reflect natural factors.
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.	NexGen’s Qualified Professional confirms that guidance outlined in Section 11.5 of the Saskatchewan Air Quality Modelling Guideline (SAQMG; ENV 2012) has been reasonably applied in the determination that acid deposition modelling is not warranted for the proposed Project. NexGen also included the step to solicit feedback from the ENV regarding the application of its approach prior to preparing the Draft EIS, which also aligns with the SAQMG (ENV 2012). The following information summarizes the approach taken in the Draft EIS to determine whether an acid deposition assessment should be undertaken and addresses the specific considerations raised by the ENV – Environmental Protection Branch reviewer regarding the potential influence of acid emissions and buffering capacity of the surrounding area in contributing to acid deposition. As outlined in Section 7A2.1 of Draft EIS Appendix 7A (Air Dispersion Modelling Report), preliminary screening results showed that the total hydrogen ion (H^+) equivalent from the Project considering emissions of sulphur dioxide (SO_2) and nitrogen oxides (NO_X) would be approximately one-tenth of the modelling threshold criterion of 0.175 tonne per day (t/d). The H^+ equivalent criterion has been presented as one of the criteria in the SAQMG that can be used to determine if the acid emissions from a project could result in acid deposition concerns. Due to the low potential for contribution to acid input, an acid deposition assessment was not warranted. This approach was carried forward in the Draft EIS after consultation with the ENV on 21 January 2021. Feedback received from the ENV was in alignment with this approach. NexGen acknowledges that the preliminary screening of total H^+ equivalent did not consider the direct emissions of sulphuric acid (H_2SO_4) from the acid plant in the Draft EIS. The total H^+ equivalent has been recomputed to include the H_2SO_4 emissions. These results indicate that due to the very low emissions of H_2SO_4, the total H_+ equivalent considering all acidifying emissions (i.e., NO_X, SO_2, ammonia [NH_3], and H_2SO_4) remains approximately one-tenth of the criterion for Project Operations. Measured rainfall data support the exclusion of acidifying emissions from the air dispersion model (Draft EIS Appendix 7A). As part of NexGen’s air quality baseline monitoring program, pH values of rainwater have been monitored at the Project site since September 2018. The average pH value of the rainwater is 6.45, which is less acidic than clean, unpolluted rain, for which the pH value is approximately 5.6. Due to the relatively low acidity of the rainwater at the Project site, the potential for acid emissions to cause acid deposition issues is likely to be low.

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				In summary, the acidifying emissions from the proposed Project are predicted to be low, as shown by the total H^+ equivalent, which is about one-tenth of the criterion of 0.175 t/d of H^+ equivalent. The pH values of the rainwater in the Project site indicate that potential for acid deposition issues is low. NexGen will continue to monitor and report the pH values of rainwater, which continue to show low acidity to date. Section 7A2.1 of Final EIS Appendix 7A will be updated to include H_2SO_4 emissions in the total H^+ equivalent calculation and the monitored pH value of rainwater. **References** ENV (Saskatchewan Ministry of Environment). 2012. Saskatchewan Air Quality Modelling Guideline. Government of Saskatchewan. March 2012.
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?	NexGen notes that Project-related changes to sediment quality were not assessed past Closure in the surface water quality and sediment quality assessment as the key activity that would have the potential to affect sediment quality is the discharge of treated sewage and effluent to Patterson Lake, which would end during the Closure Phase. NexGen confirms that far-future effects to sediment quality were assessed in the environmental risk assessment (Draft EIS TSD XXI). A sediment screening exercise was conducted that determined that arsenic, molybdenum, uranium, and radionuclides were required to be quantitatively assessed (Draft EIS TSD XXI, Section 4.2.3.3, Table 4-3).
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	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.	NexGen confirms that climate change-induced effects on surface water temperatures were not included in climate change scenarios assessed in the Draft EIS. However, incorporation of changes to surface water temperature associated with climate change, should changes to water temperature be predicted, is not expected to influence the findings of the EA. No changes to the EIS are required.
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.	NexGen confirms that as part of the Environmental Monitoring Plan, winter monitoring programs will include sampling snow quality near the Project site during Operations to confirm that the deposition of Project air emissions to land and subsequently to surface water systems are localized and result in only minor changes to total suspended solids and COPC concentrations. NexGen also notes that the Environmental Monitoring Plan would be periodically reviewed and, where required, revised to verify monitoring activities are meeting Project environmental needs.
408.	ACFN (October 28, 2022)	10.5.1.2.6 Sensitivity Analysis, p. 10-96 Figure 10.5-12	a) Please remove the final sentence in the paragraph proceeding Figure 10.5-12. It is scientifically invalid. 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. 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: "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." 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.	a) NexGen acknowledges the reviewer's comments regarding the total phosphorus indicator concentration including inorganic and organic (e.g., algal) forms of phosphorus. The intent of the statement in the final sentence preceding Figure 10.5-12 of Draft EIS Section 10.5.1.2.6 (Sensitivity Analysis) was to highlight conservatism associated with the modelled predictions for total phosphorus during Operations as surface water quality modelling did not account for parts of the phosphorus cycle in the receiving aquatic environment that lead to sinks and losses from the water column over the annual seasonal cycle. NexGen will amend the wording in Final EIS Section 10.5.1.2.6 (Sensitivity Analysis) to state the following: "Note, however, that the modelling considered conservative phosphorus inputs in the discharge from the Project and did not account for in-lake sinks and settlement of inorganic and organic forms of phosphorus; therefore, basin-wide concentrations are likely overestimated." b) NexGen maintains that the modelling as presented in Draft EIS Section 10 (Surface Water Quality and Sediment Quality) is sufficient to assess the receiving environment surface water quality for the Project and that the interpretation of the modelling for the EA is reasonable and justified. NexGen notes that monitoring of Project discharges and receiving environment conditions during Operations will provide data to verify assessment results. c) NexGen acknowledges the reviewer's comment and will revise the text in Final EIS Section 10.5.3.1.1 (Application Case) to acknowledge the predicted temporary shift in trophic status in Patterson Lake North Arm – West Basin and Patterson Lake South Arm under the reasonable upper bound scenario.
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?	NexGen confirms that the mitigations listed in Draft EIS Section 10.4 (Project Interactions and Mitigations) were inherent in the assumptions used in the site-wide water quality model used to generate inputs to the near-field and regional water quality models. For example, it was assumed that the effluent treatment plant and sewage treatment plant would treat any site contact water so that discharges would not exceed Metal and Diamond Mining Effluent Regulations or acute toxicity thresholds, and the diffuser design would be sufficient to effectively assimilate discharges so that Project thresholds for constituents of potential concern would be met at a regulated mixing zone boundary distance of 100 m.
410.	ACFN (October 28, 2022)	10.5.3.1.1 Application Case,	a) Please clarify, are predicted changes to each COPC in water under the Application Case and RFD scenario expected to return to base case concentrations, or reach a pseudo-steady state? If it is the	a) NexGen confirms that predicted changes for each constituent of potential concern (COPC) in the Application Case, reasonable upper bound scenario, and Reasonably Foreseeable Development (RFD) Case are shown to reach a pseudo steady-state condition in the far future. Except for hardness, phosphorus, and chromium, all future COPC concentrations are

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		p. 10-113 to 10-114	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. b) In each case, please clarify, are the effects considered reversible?	projected to be higher than characterized baseline concentrations because a small amount of residual seepage would be present from both the underground workings and waste rock storage areas, and this seepage is conservatively assumed to last in perpetuity. In the far-future projections, all COPCs except cobalt and copper remain below their respective Project thresholds. Supplemental information regarding the assessment of residual effects for the far future for the Application Case/reasonable upper bound scenario and RFD Case is presented in Draft EIS Section 10.5.1.2 (Regional Surface Water Quality Model) and Draft EIS Section 10.5.2 (Reasonably Foreseeable Development Case), respectively. The residual effects classification that describes the reversibility of the residual effects during the far future is discussed in Draft EIS Section 10.5.3.2 (Far-Future Projection). b) NexGen notes that the residual effects for water quality constituent concentrations and drinking water quality measurement indicators were determined to be permanent and irreversible for the Application Case, reasonable upper bound scenario, and RFD Case as surface runoff and the slow migration of certain COPCs through groundwater would persist in the receiving environment in the far future. However, NexGen further notes water quality in the receiving environment that would be affected by incremental loadings of COPCs associated with the treated discharges during Operations would return to concentrations and values similar to their baseline concentrations following the cessation of discharges. In the far-future projection, infiltration and seepages from the Project footprint to the groundwater regime invoke a long-term, continuous period of extremely slow migration of COPC metals and radionuclides from the underground tailings management facility and waste rock storage areas to the receiving environment (i.e., Patterson Lake). This would result in incremental mass loading of a select group of COPC metals (i.e., aluminum, cobalt, copper, iron, manganese, molybdenum, nickel, selenium, uranium, and zinc) that attenuate downstream. Although increases are noted for these COPCs, only cobalt and copper were shown to exceed their surface water quality thresholds for the water quality measurement indicator in the far future. However, no significant adverse effects to valued components were predicted as a result of predicted cobalt and copper threshold exceedances (Draft EIS Section 11 [Fish and Fish Habitat], Draft EIS Section 13 [Vegetation], Draft EIS Section 14 [Wildlife and Wildlife Habitat], Draft EIS Section 15 [Human Health], Draft EIS Section 16 [Cultural and Heritage Resources and Indigenous Land and Resource Use], Draft EIS Section 17 [Other Land and Resource Use]).
411.	ACFN (October 28, 2022)	10.6.1.4 Regional Surface Water Quality Model, p. 10-123	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? Please explain, how is the approach discussed above conservative, and not just reasonable?	NexGen acknowledges the reviewer's comment and will modify the text in Final EIS Section 10.6 (Prediction Confidence and Uncertainty) to state the following: "The estimated surface runoff quality from the Fission Patterson Lake South Property waste rock storage facility and above-ground tailings management facility was assumed to be equal to the median treated effluent quality from the Project. Given these assumptions, predictions generated by the RSWQM are considered to be reasonable in lieu of a lack of project-specific available data for the Fission Patterson Lake South Property". NexGen notes that the assessment applied a precautionary approach to address uncertainty by identifying the greatest magnitude, duration, and geographic extent of potential adverse effects when a range of possible outcomes was possible (Draft EIS Section 10.6 [Prediction Confidence and Uncertainty]). Therefore, NexGen maintains that the assessment of effects in the Reasonably Foreseeable Development Case are conservative.
412.	ACFN (October 28, 2022)	Section 1.3.4; 15.2.8	a) Please update section 1.3.4 to include available federal human health and ecological risk assessment guidance documents, and 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	a) NexGen notes that Draft EIS Section 1.3.4 (Relevant Standards, Codes, and Guidelines) is relevant to the standards, codes, and guidelines of the EA process rather than discipline-specific guidelines such as ones associated with the environmental risk assessment. As stated in Draft EIS Section 1.3.4, discipline-specific standards, codes, and guidelines used in the assessment of effects are identified within each discipline EIS section (Section 7 [Air Quality, Noise, and Climate Change] through Section 19 [Community Well-Being]), as appropriate. b) NexGen confirms that, as described in Draft EIS Section 15.2.8 (Risk Assessment), the methods used in the environmental risk assessment (ERA) are based on guidance provided by the CNSC (2021), the Canadian Standards Association Group (CSA Group; 2012, 2020), and Health Canada (2010, 2021). The software used for the exposure pathways analysis and the calculation of radiological doses was IMPACT Version 5.6.0, which is consistent with the COPC transport equations and radiological dose calculations outlined in CSA N288.1-20 (CSA Group 2020). Equations used for non-radiological dose calculations are consistent with those from CSA N288.6-12 (CSA Group 2012), which have generally been obtained from Health Canada guidance (2010, 2021). Also, as described in Section 1.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the ERA encompasses a human health risk assessment and an ecological risk assessment, which have been prepared to be compliant with Canadian Standards Association Group (CSA) N288.6-12 Environmental Risk Assessments for Class I Nuclear Facilities and Uranium Mines and Mills (CSA 2012). The ERA also meets the requirements outlined in Section 4.1 of Regulatory Document-2.9.1, Environmental Principles, Assessments and Protection Measures (CNSC 2020).

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				References CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1, Environmental Principles, Assessments and Protection Measures, Version 1.2. September 2020. ISBN 978-0-660-06255-6. Available at http://nuclearsafety.gc.ca/eng/pdfs/REGDOCS/REGDOC-2-9-1-Environmental-Principles-Assessments-and-Protection-Measures-eng.pdf. CNSC. 2021. Generic Guidelines for the Preparation of an Environmental Impact Statement pursuant to the Canadian *Environmental Assessment Act, 2012*. Available at https://nuclearsafety.gc.ca/eng/resources/environmental-protection/ceaa-2012-generic-eis-guidelines.cfm. CSA Group (Canadian Standards Association Group). 2012. CSA N288.6-12: Environmental Risk Assessments at Class I Nuclear Facilities and Uranium Mines and Mills. CSA Group. 2020. CSA N288.1-20: Guidelines for calculating derived release limits for radioactive material in airborne or liquid effluents for normal operation of nuclear facilities. Health Canada. 2010. Federal Contaminated Site Risk Assessment in Canada, Part I: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA), Version 2.0. Contaminated Sites Program. September. Health Canada. 2021. Federal Contaminated Site Risk Assessment in Canada: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA). Version 3.0.
413.	ACFN (October 28, 2022)	Section 15.2.8.2; 4.2.3; 4.3.3	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. 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.	a) The environmental risk assessment used best and standard practices to screen COPCs and focus the assessment on those constituents with the potential to affect valued components and receptors. This process included applying maximum predicted or observed concentrations, utilizing the most conservative applicable and available federal and provincial guidelines protective of both human and ecological health, and defining receptor locations based on Indigenous and Local Knowledge so that effects would not be underestimated. No re-evaluation is required. b) Based on the use of best practices described above in response Part (a) of this response, applying additional screening criteria is not expected to change the confidence in effects predictions or the assessment conclusions. No further assessment is required.
414.	ACFN (October 28, 2022)	15.2.3 (Table 15.2-2; Figure 15.2-1); 14.2.4	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). 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 c) Provide a summary of how updates based on ACFN comments affected the predicted risks (i.e. HQs, ILCRs, Radiation Dose) in the HHRA.	Through engagement activities offered by NexGen prior to the submission of the Draft EIS, the ACFN has not identified or presented any specific issues related to spatial and temporal boundaries and predicted concentrations of COPCs in air, soil, and water modelling. Notwithstanding the above, completing assessments on a Nation-by-Nation basis is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. No changes to the Draft EIS are required in this regard. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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 that address cumulative effects and support collaboration between industrial stakeholders to reclaim the environment to pre disturbance condition.	NexGen notes that an assessment of effects compared to predevelopment conditions (i.e., conditions before anthropogenic activity) is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012* and the EA appropriately assessed Project effects compared to existing conditions (i.e., Application Case). Therefore, no additional assessment case is required to be considered. NexGen further notes that the regional study area has been relatively undisturbed by direct human development (<1%) and mostly influenced by wildfire and water level fluctuations. As a result, Base Case conditions largely reflect natural factors prior to development. As stated in Draft EIS Section 5.5.3 (Decommissioning and Reclamation [Closure]), NexGen’s preliminary objective for closure is to design the landscape to allow for unrestricted traditional use by Indigenous Groups and local communities, and for functional, self-sustaining, locally common ecosystems on the reclaimed landscape as soon as practicable. As further described in Draft EIS

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				Section 5.3.2 (Design Objectives and Guiding Principles), as part of the Preliminary Decommissioning and Reclamation Plan developed for the Project, a returning land use plan will be developed that focuses on target ecosystems that existed prior to the Project (i.e., prior to Project Construction). **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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.	NexGen confirms that potential far-future Project effects have been assessed in the Draft EIS. The long-term effects on human health and aquatic and terrestrial ecosystems associated with seepage from underground workings and waste rock were evaluated by increasing the temporal boundary of the assessment beyond Project Closure. Effects beyond Closure were assessed using a far-future projection; while not a Project phase; the far-future projection encompasses the long-term period of extremely slow migration of COPCs from the underground workings and waste rock storage areas (WRSAs) via the groundwater pathway to the receiving surface water environment (Draft EIS Section 15.2.4 [Temporal Boundaries]; Section 1.3.2 of Draft EIS TSD XXI [Environmental Risk Assessment]). While it is not possible to predict potential effects thousands of years into the future with certainty, the temporal extent and mass loading inputs of the far-future assessment were developed so that the modelled results provide a reasonable, precautionary representation of the maximum potential changes to surface water quality in Patterson Lake and the downstream environment.
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.	As indicated in Section 5.4.1 of Draft EIS TSD XXI (Environmental Risk Assessment), the hazard quotients (HQs) can be compared to a benchmark value of 1 if all exposure pathways (exposures from all pathways including background and store-bought foods) are considered. To account for uncertainty in pathways beyond Project activities (i.e., exposure to background sources unrelated to the Project), a benchmark HQ value of 0.2 per medium (e.g., water, soil, food, air) represented a conservative assumption to make sure a precautionary assessment was undertaken. This approach is consistent with the approach taken by Health Canada in its guidance on human health preliminary quantitative risk assessment (Health Canada, 2021). NexGen notes that the total HQ (baseline + Project) can be determined by adding together the “Base Case” and “Incremental Project Risk” rows for each COPC in Table 5-18 of Section 5.4.1 of Draft EIS TSD XXI. The total HQs are all below 1 for all exposure pathways, indicating the results are acceptable and no significant adverse effects to human health are anticipated. **References** Health Canada. 2021. Federal Contaminated Site Risk Assessment in Canada: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA). Version 3.0.

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<table>
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Canadian Impact Assessment Registry reference: 80171)</th><th>NexGen Response</th></tr>
<tr><td>418.</td><td>ACFN
(October 28, 2022)</td><td>TSD XXI, Section 15</td><td>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</td><td>The environmental risk assessment used best and standard practices to screen COPCs and focus the assessment on those constituents with the potential to affect valued components and receptors. This process included applying maximum predicted or observed concentrations, utilizing the most conservative applicable and available federal and provincial guidelines protective of both human and ecological health, and defining receptor locations based on Indigenous and Local Knowledge so that effects would not be underestimated. No re-evaluation is required.

Based on the screening process, the following COPCs were evaluated quantitatively in the human health risk assessment: arsenic, cobalt, copper, molybdenum, and uranium. A summary of the critical endpoints for each of the toxicity reference values used is provided below. As seen in the table, the various critical endpoints are different for exposures to the COPCs evaluated; therefore, the ERA did not combine the exposure to multiple COPCs.

<table>
<tr><th>COPC</th><th>Critical Endpoint for TRV</th></tr>
<tr><td>Arsenic</td><td>bladder, lung, liver cancer</td></tr>
<tr><td>Cobalt</td><td>hematological effects (increased levels of erythrocytes)</td></tr>
<tr><td>Copper</td><td>gastrointestinal toxicity and hepatotoxicity (liver function)</td></tr>
<tr><td>Molybdenum</td><td>developmental and reproductive effects</td></tr>
<tr><td>Uranium</td><td>nephrotoxicity (renal lesions)</td></tr>
</table>
</td></tr>
<tr><td>419.</td><td>ACFN
(October 28, 2022)</td><td>TSD XXI, Section 15</td><td>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
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.</td><td>a) As stated in Draft EIS Section 15.2.8.2 (Constituents of Potential Concern), as a first step, upper bound end-of-pipe treated effluent concentrations were compared against the Project chronic surface water quality objectives (SWQOs). Those constituents with predicted upper bound treated effluent concentrations above SWQOs were considered further for additional screening; these upper bound constituents were then compared against the SWQOs at the edge of the mixing zone. Those constituents at the edge of the mixing zone with concentrations above SWQOs were identified as COPCs. In other words, if a COPC only exceeded its SWQO in runoff or end of pipe but not at the edge of the mixing zone, it was not identified as a COPC (Draft EIS Section 15.2.8.2 [Constituents of Potential Concern], Figure 15.2-4).

b) NexGen maintains that classifying certain constituents as COPCs due to end-of-pipe effluent concentration exceedances of Project chronic SWQOs is overly conservative as no human or ecological receptors would be regularly exposed to end-of-pipe effluent concentrations. NexGen further maintains that screening against concentrations at the edge of the mixing zone is more realistic and also a conservative approach as few receptors would be isolated at the edge of the mixing zone. NexGen would implement monitoring through the Environmental Monitoring Plan that would include collection of surface water, sediment, fish tissue, and benthic invertebrate tissue samples to verify the predictions made by the environmental risk assessment (ERA), refine the models used in the ERA, and reduce the uncertainty in the predictions made by the ERA (Draft EIS Section 15.8 [Monitoring, Follow-Up, and Adaptive Management]).</td></tr>
<tr><td>420.</td><td>ACFN
(October 28, 2022)</td><td>TSD XXI</td><td>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.</td><td>The environmental risk assessment used best and standard practices to screen COPCs and focus the assessment on those constituents with the potential to affect valued components and receptors. This process included applying maximum predicted or observed concentrations, utilizing the most conservative applicable and available federal and provincial guidelines protective of both human and ecological health, and defining receptor locations based on Indigenous and Local Knowledge so that effects would not be underestimated. No re-evaluation is required.

With respect to air quality, the screening guidelines used were focused on Canadian guidelines, which included Saskatchewan Ambient Air Quality Standards, Alberta Ambient Air Quality Objectives, and Ontario Ambient Air Quality Criteria. All of the above guidelines and criteria represented appropriate thresholds for the EA as they are based on protection of health endpoints as outlined in Table 4-6 of Section 4.3.3 of Draft EIS TSD XXI (Environmental Risk Assessment).</td></tr>
<tr><td>421.</td><td>ACFN
(October 28, 2022)</td><td>TSD XXI</td><td>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</td><td>a) NexGen notes that the air dispersion modelling study considers a simulation from a five-year meteorological modelling period that included the combined maximum emission rates from all Project sources and sources from reasonably foreseeable developments (i.e., the Fission Patterson Lake South Project). Results of the five-year simulation were added to a mandated background concentration and were summarized to include 1-hour, 24-hour, and annual maximum predicted values. The annual values were used to evaluate long-term exposure in the environmental risk assessment (Draft EIS TSD XXI) and human health assessment (Draft EIS Section 15). The inherent conservativeness of the modelling process (e.g., five-years of hourly meteorological data [43,824 simulated hours]) to capture worst-case meteorological conditions combined with simultaneous maximum emission rates generated a modelled scenario that is representative of possible maximum short-term, medium-term, and long-term air quality conditions where maximum ground-level concentrations are unlikely to be</td></tr>
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				exceeded. Therefore, the air dispersion modelling used for the EA represents conservative information for the purposes of assessing health risks. b) NexGen confirms that the information requested by the reviewer has been provided for information purposes within the Draft EIS. Although the Canadian Ambient Air Quality Standards (CAAQS) were designed to be evaluated against long-term monitoring data in populous areas, the air quality assessment (Draft EIS Section 7.2) includes a comparison of the CAAQS to the predicted concentrations from the modelling. The modelling assessment used a provincially mandated five-year meteorological data set approved by the Province of Saskatchewan. This data set included the meteorological years from 2012 through 2016; within this five-year period, there are three possible three-year periods (i.e., 2012-2014, 2013-2015, and 2014-2016) that could be used to approximate the three-year monitoring data period called for in the CAAQS evaluation metrics. The values compared to the CAAQS in the Draft EIS used the highest predictions from the three possible three-year periods predicted over the five modelling years. Results of this comparison can be found in Table 7.2-12 of Draft EIS Section 7.2.5.1.1.2 (Air Dispersion Modelling Predictions).
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	The environmental risk assessment (ERA) used best and standard practices to screen COPCs and focus the assessment on those constituents with the potential to affect valued components and receptors. With respect to soil quality guidelines, the latest soil quality guidelines from the CCME were utilized to screen predicted soil quality from air deposition (CCME 2024). Derivation of CCME soil quality guidelines follows the recommended process published by the CCME. As the guidelines utilized in the ERA are appropriate, no updates to the human health risk assessment are required. **References** CCME (Canadian Council of Ministers of the Environment). 2024. Canadian Environmental Quality Guidelines. Available at https://ccme.ca/en/resources/soil-and-groundwater.
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.	As per Health Canada human health risk assessment (HHRA) guidance, human health risks were calculated in the problem formulation for all chemicals, receptors, and exposure pathways identified as being of potential concern. For the HHRA, the following COPCs were assessed: arsenic, cobalt, copper, molybdenum, and uranium. Of these COPCs, only arsenic is identified in the Health Canada toxicity reference value guidance as a carcinogen; therefore, arsenic was quantitatively assessed in the HHRA. No other carcinogenic substances are required to be added to the ERA.
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.	NexGen notes that the intent during reclamation activities is to use native plant species. However, flexibility is required should the use of native species not be practical for ensuring reclamation success. As examples, non-native species may be required if insufficient native species seeds/seedlings are available or if a fast-establishing annual plant species is required to minimize erosion. While potential non-native plant species have not been identified at this time, these species, if used, would be non-aggressive and demonstrated to be non-invasive (Draft EIS Section 13.4 [Project Interactions and Mitigations], Table 13.4-1). These species would be early successional plants that establish quickly and decrease soil erosion enabling non-native species to establish and grow. The focus would be on using annual species such as wild rye or barley that would establish and die off over winter. When required, mowing or clipping would be used to cut off the grass tops before they go to seed.
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	As indicated in Draft EIS Section 13.4.2 (Secondary Pathways), dust deposition rates from the Project (0.072 to 0.095 mg/cm^2/30 d) are predicted to be much less than rates shown in the scientific literature to cause effects on plants (0.3 to 7.2 mg/cm^2/30 d) (Walker and Everett 1987). Any changes would be negligible and localized and not result in significant effects to self-sustaining and ecologically effective upland, wetland, or riparian ecosystems and traditional use plants. NexGen will monitor dust deposition and other constituents, and soil and vegetation chemistry to determine the effectiveness of mitigation and apply adaptive management, if necessary. **References** Walker DA, Everett KR. 1987. Road dust and its environmental impact on Alaskan taiga and tundra. Arctic & Alpine Research 19(4):479 489.

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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, particularly those that have been shown to be sensitive to dust and other emissions.	As indicated in Draft EIS Section 13.4.2 (Secondary Pathways), dust deposition rates from the Project (0.072 to 0.095 mg/cm^2/30 d) are predicted to be much less than rates shown in the scientific literature to cause effects on plants (0.3 to 7.2 mg/cm^2/30 d) (Walker and Everett 1987). Any changes would be negligible and localized and not result in significant effects to self-sustaining and ecologically effective upland, wetland, or riparian ecosystems and traditional use plants. NexGen will monitor dust deposition and other constituents, and soil and vegetation chemistry to determine the effectiveness of mitigation and apply adaptive management, if necessary. **References** Walker DA, Everett KR. 1987. Road dust and its environmental impact on Alaskan taiga and tundra. Arctic & Alpine Research 19(4):479 489.
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.	NexGen notes that the 25 km/h speed limit for heavy equipment involved in material movement and earthworks on the mine / mill terrace during Construction (Draft EIS Section 13.4 [Project Interactions and Mitigations], Table 13.4-1) is a specific mitigation that was derived based on findings from iterative air quality modelling during Draft EIS development. More specifically, limiting speed in this area was predicted to limit emissions to more acceptable levels. While this mitigation measure was not shown to be required for other areas of the Project site or for other Project phases, NexGen further notes that Project site speed limits for Operations have not yet been determined and could be applied at a future date, if deemed required.
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?	Except where specific details are noted (e.g., 25 km/h speed limit for heavy equipment involved in material movement and earthworks on the mine / mill terrace during Construction), NexGen is committed to implementing all dust-limiting mitigation measures presented in Table 13.4-1 of Draft EIS Section 13.4 (Project Interactions and Mitigations) site-wide, where applicable, to avoid and minimize effects from the Project on vegetation.
429.	ACFN (October 28, 2022)	Section 13	Please explain how NexGen will promote propagation and regeneration	NexGen confirms that propagation and regeneration of plant species would be promoted by: ▪ salvaging the organic surface soil to the extent practical and, during reclamation, replacing this soil in variable patterns that mimic natural ecosystems; ▪ placing woody debris to create microsites, provide seed sources, and mimic natural ground surfaces; ▪ using site preparation techniques such as recontouring, ripping, and rough mounting to integrate with the surrounding landscape, add surface variability, and increase biodiversity and vegetation survival; and ▪ to the extent practical, promoting ecosystem development through planting of native trees and shrubs that suit the target ecosystems that are common to the area.
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.	The *Best Management Practices for Conservation of Reclamation Materials in the Mineable Oil Sands Region of Alberta* (CEMA 2011) provides best management practices (BMP) supported by scientific literature and experience at mine sites in the boreal forest. Relevant BMPs include: ▪ BMP 3: use of woody debris as a reclamation material. ▪ BMP 5: salvage transitional soils. ▪ BMP 18 to 21: soil placement. ▪ BMP 23: leave cover soil rough on the surface. Other relevant references include Polster (2016), which explains the benefit of creating irregular surfaces for reclamation, and Pyper and Vinge (2012), which discusses the benefits of use and proper placement of coarse woody debris for reclamation. **References** CEMA. 2011. Best Management Practices For Conservation of Reclamation Materials in the Mineable Oil Sands Region of Alberta. Prepared by Dean Mackenzie, for the Terrestrial Subgroup, Best Management Practices Task Group. 9 March 2011. Polster, David, F. 2016. Natural Processes for the Restoration of Drastically Disturbed Sites. Journal American Society Mining and Reclamation (JASMR), 2016 Volume 5 Issue 2. Pyper, M. and T. Vinge. 2012. Managing woody materials on industrial sites: Meeting economic, ecological and forest health goals through a collaborative approach. Department of Renewable Resources, University of Alberta. 32 pp.

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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?	As indicated in Draft EIS Section 13.3 (Existing Conditions), baseline field studies found the occurrence of invasive plant species to be limited to existing disturbed upland ecosites; invasive species were not detected in wetlands and riparian habitats or undisturbed areas. NexGen has committed to mitigation measures such as inspecting and cleaning equipment, certified seed mixes, and monitoring for and removing invasive species, which are anticipated to avoid and minimize the introduction of noxious and nuisance weeds within and adjacent to disturbed areas of the Project footprint. Through the use of mitigation measures, invasive species are not predicted to result in greater-than-negligible effects (Draft EIS Section 13.4.2 [Secondary Pathways]). For this reason, NexGen maintains that a detailed assessment of this pathway is not required.
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.	Plant communities in the boreal forest have evolved with fire and other natural factors (drought, floods, extreme temperature variation) for millennia. Fire is often a highly intense disturbance that covers a large area. The continued re-establishment and succession of plant communities in the boreal forest exemplifies the resilience and adaptive capacity of plants in upland and riparian ecosystems. The prediction that effects to upland and riparian ecosystems are reversible considers this resilience and the much smaller area of disturbance from the Project relative to fire, along with the reclamation, monitoring, and adaptive management processes that would be implemented. NexGen acknowledges that a lengthy period of time could be required for effects to be reversible (i.e., 60 to 80 years or longer following the Active Closure Stage) (Draft EIS Section 13.5.1.3.1 [Classification Summary]; Draft EIS Section 13.5.3.3.1 [Classification Summary]).
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.	Mosses can be effectively reclaimed using the spreading of moss clippings on reclaimed areas. Some approaches are discussed in the *Peatland Restoration Guide* (Quinty and Rochefort 2003). Although this manual focusses on peatland restoration, some of these techniques are transferable to the Project. Site-specific research would be conducted to confirm the most effective methods of propagating locally common mosses at Project site. Lichen propagation is still a relatively new science; therefore, the amount of scientific literature is limited. Propagation of *Cladonia / Cladina* using spreading of fragments was shown to be successful in research trials completed by Ronalds and Grant (2018) and Rapai et al (2023). Site-specific research would be conducted to confirm the most effective methods of propagating locally common lichens at the Project site. **References** Quinty, F. and L. Rochefort. 2003. *Peatland Restoration Guide*, second edition. Canadian Sphagnum Peat Moss Association and New Brunswick Department of Natural Resources and Energy, Québec, Québec. Ronalds, I. and L. Grant. 2018. *Tweedsmuir Lichen Restoration Trial Year 1 Report.* Skeena Region, Ministry of Forests, Lands, Natural Resource Operations, and Rural Development. Rapai, S.B., D. McColl, B. Collis, T. A. Henry, and D. Coxson. 2023. *Terrestrial Lichen Caribou Forage Transplant Success : Year 5 and 6 Results.* Restoration Ecology. 10.1111/rec.13867.
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.	NexGen notes that an assessment of effects compared to predevelopment conditions (i.e., conditions before anthropogenic activity) is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012* and the EA appropriately assessed Project effects compared to existing conditions (i.e., Application Case). Therefore, no additional assessment case is required to be considered. NexGen further notes that the regional study area has been relatively undisturbed by direct human development (<1%) and mostly influenced by wildfire and water level fluctuations. As a result, Base Case conditions largely reflect natural factors prior to development. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.

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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.	NexGen notes that ptarmigan are generally classified as upland game birds that prefer open subarctic habitats with deciduous shrubs and trees for food and cover, and are most commonly found in the northern extent of the province (Conkin 2018). Therefore, potential effects to the upland ecosystem valued component (VC) are expected to be representative of effects to ptarmigan. NexGen notes that spruce grouse generally occupy lowland bogs and forest edges. Therefore, potential effects to the upland ecosystem and wetland ecosystem VCs are expected to be representative of effects to spruce grouse. **References** Conkin, Katherine R. 2018. Management Plan for Upland Game Birds in Saskatchewan 2018-2028. Wildlife Unit, Fish, Wildlife and Lands Branch, Saskatchewan Environment. 35pp. https://pubsaskdev.blob.core.windows.net/pubsask-prod/109412/109412-Upland_Game_Bird_Management_Plan.pdf.
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.	Effects of the Project and reasonably foreseeable developments (RFDs) on fisher are represented by grey wolf and black bear, which use similar habitats. The magnitude of effects on habitat availability, habitat distribution, and survival and reproduction were negligible to low; as such, the effects were predicted to be not significant on wolf and black bear. A similar magnitude of effects and conclusion are predicted for fisher. Effects of the Project and RFDs on marten are represented by woodland caribou and little brown myotis, which use similar habitats. The magnitude of effects from changes in habitat availability, habitat distribution, and survival and reproduction on little brown myotis was negligible to moderate, while the magnitude on woodland caribou was high due the amount of existing disturbance in the regional study area (largely due to fire) and the associated species-specific undisturbed habitat requirements for woodland caribou in the SK2 West Caribou Administrative Unit (i.e., 65% undisturbed habitat). The magnitude of effects on marten are expected to be less than the magnitude of effects on little brown myotis and woodland caribou because of the difference in species status (i.e., marten are not a species at risk in Saskatchewan) and predicted current higher resilience and adaptive capacity of marten (i.e., marten are not in decline due to habitat loss [woodland caribou] or disease [little brown myotis]). In addition, mitigation measures implemented for black bear dens would also benefit marten during denning periods by avoiding and reducing Project-related adverse effects to their survival and reproduction (Section 14.4.4.2). Adverse effects to fisher and marten are anticipated to be not significant.
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.	NexGen confirms that the final diffuser design depth, port configuration, and port orientation will be refined to mitigate changes to water velocity at the surface of Patterson Lake that could result in changes to ice thickness.
438.	ACFN (October 28, 2022)	Section 14.2	Please clarify what species were included in the ecological risk assessment.	NexGen confirms that caribou, moose, grey wolf, black bear, snowshoe hare, beaver, muskrat, little brown myotis, spruce grouse, rusty blackbird, common loon, red-throated loon, and mallard were receptors 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.	NexGen confirms that the Environmental Protection Program and supporting documentation (e.g., Environmental Monitoring Plan) and processes will outline considerations for the wildlife monitoring, including factors associated with species-specific monitoring, where required. Monitoring would aim to evaluate the effectiveness of environmental protection measures and contribute to adaptive management measures, if required, to verify that the assessment endpoints assessed in the EA are maintained. Development of the monitoring programs will be completed as part of the provincial permitting and federal licensing processes. In addition to NexGen monitoring activities, independent Indigenous monitoring would also be conducted by the primary Indigenous Groups. Each Indigenous Monitor (one per primary Indigenous Group) would have access to conduct environmental sampling for the Project, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific policies (Draft EIS Section 14.7 [Monitoring, Follow-Up, and Adaptive Management]).
440.	ACFN (October 28, 2022)	Section 14.4	Please discuss whether the PM10 exceedances may pose a risk to wildlife that consume aquatic vegetation.	NexGen notes that, as stated in Draft EIS Section 14.4.2 (Secondary Pathways), during Construction, most of the area of exceedance of particulate matter with a diameter of 10 µm or less (PM_{10}) would overlap Patterson Lake North Arm and extend approximately 1.2 km from the boundary of the maximum disturbance area. In contrast, during Operations, the area of exceedance towards the North Arm would be substantially reduced and extend 203 m from the boundary of the maximum disturbance area. Since exceedances would occur mostly over Patterson Lake North Arm, it is anticipated that there would be minimal changes to vegetation ecosystems (Section 13.4.2). To verify adverse effects to wildlife would not be significant, an ecological risk assessment was completed to determine Project-related health risks to aquatic and terrestrial wildlife receptors, which included inhalation and ingestion (i.e., soil, sediment, water, plants, and animals) exposure pathways. The risk assessment modelled exposure pathways during Operations and an upper

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				bound scenario (i.e., a more conservative, precautionary model). Results indicated that predicted levels of metals and radionuclides in the environment from the proposed Project for the upper bound scenario would not cause significant adverse effects on the health of wildlife valued components or other wildlife receptors.
441.	ACFN (October 28, 2022)	Section 14.4	Please define what “adverse” effects represents.	Adverse or negative effects represent a net loss or degradation to a wildlife valued component from a change in a measurement indicator (Draft EIS Section 14.2.9 [Residual Effects Classification and Determination of Significance], Table 14.2-7). For example, Project clearing would reduce habitat availability (a measurement indicator) for certain valued components (e.g., moose). This would represent an adverse effect to moose.
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.	NexGen confirms that the Environmental Protection Program and supporting documentation (e.g., Environmental Monitoring Plan) and processes will outline considerations for the wildlife monitoring, including factors associated with wildlife health. Monitoring would aim to evaluate the effectiveness of environmental protection measures and contribute to adaptive management measures, if required, to verify that the assessment endpoints assessed in the EA are maintained. Development of the monitoring programs will be completed as part of the provincial permitting and federal licensing processes. In addition to NexGen monitoring activities, independent Indigenous monitoring would also be conducted by the primary Indigenous Groups. Each Indigenous Monitor (one per primary Indigenous Group) would have access to conduct environmental sampling for the Project, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific policies (Draft EIS Section 14.7 [Monitoring, Follow-Up, and Adaptive Management]). Specific to woodland caribou, NexGen further confirms that a Caribou Mitigation and Offset Plan that includes monitoring is currently being developed through discussions with the provincial and federal governments and Indigenous Groups. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
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.	Habitat availability and distribution for each wildlife VC is described in Draft EIS Section 14.3 (Existing Conditions) and Draft EIS Section 14.5 (Residual Effects Analysis). Habitat availability presents the quantity of different suitable habitat categories (i.e., quality) while habitat distribution describes the arrangement and connectivity of suitable habitats. The quantity and arrangement of suitable habitats is described both quantitatively and qualitatively for the Base Case, Application Case, and RFD Case. More refined calculations on the exact size and distance between patches of suitable habitats would not change the assessment conclusions. Therefore, no changes are required for the Final EIS.
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.	Habitat availability and distribution for each wildlife VC is described in Draft EIS Section 14.3 (Existing Conditions) and Draft EIS Section 14.5 (Residual Effects Analysis). Habitat availability presents the quantity of different suitable habitat categories (i.e., quality) while habitat distribution describes the arrangement and connectivity of suitable habitats. The quantity and arrangement of suitable habitats is described both quantitatively and qualitatively for the Base Case, Application Case, and RFD Case. More refined calculations on the exact size and distance between patches of suitable habitats would not change the assessment conclusions. Therefore, no changes are required for the Final EIS.
445.	ACFN (October 28, 2022)	Section 14.4	Please discuss mortality risk for smaller wildlife VCs in the residual effects assessment.	Mortality risk is described in the residual effects assessment for each wildlife valued component (VC), including smaller wildlife, under the section heading ‘Survival and Reproduction’ (e.g., Draft EIS Section 14.5.7.1.3 [Survival and Reproduction] for olive-sided flycatcher). Survival and reproduction are described as “changes to animal abundance from altering survival and/or recruitment” (Draft EIS Section 14.2.2.2 [Measurement Indicators]). Effects of habitat loss and sensory disturbance (e.g., noise, light) on survival and reproduction were considered for all wildlife VCs. Survival and reproduction also considered the results from the ecological health risk assessment and exposure of aquatic and terrestrial species or receptors to chemical substances or metals. Overall, no significant adverse effects were predicted for smaller wildlife VCs.
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?	NexGen confirms that the Environmental Protection Program and supporting documentation (e.g., Environmental Monitoring Plan) and processes will outline considerations for the wildlife monitoring, including factors associated with species-specific monitoring, where required. Monitoring would aim to evaluate the effectiveness of environmental protection measures and contribute to adaptive management measures, if required, to verify that the assessment endpoints assessed in the EA are maintained. Development of the monitoring programs will be completed as part of the provincial permitting and federal licensing processes.

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				In addition to NexGen monitoring activities, independent Indigenous monitoring would also be conducted by the primary Indigenous Groups. Each Indigenous Monitor (one per primary Indigenous Group) would have access to conduct environmental sampling for the Project, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific policies (Draft EIS Section 14.7 [Monitoring, Follow-Up, and Adaptive Management]). Notwithstanding the planned monitoring activities described above, NexGen acknowledges that challenges exist when monitoring effects to smaller species as effects may not be as visible as with larger species. To help address these challenges, NexGen would consider successful practices at other operations. For example, monitoring at operating mines in the Northwest Territories has documented direct mine-related and unknown mortality of small species such as ptarmigan, ground squirrel, songbirds, and muskrat. In addition, opportunities would exist within the Environmental Committees comprised of NexGen and members of the primary Indigenous Groups to discuss potential monitoring measures for smaller species.
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	NexGen confirms that the movement route at the narrows of Patterson Lake was the only route identified through Project engagement activities such as the Joint Working Groups.
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.	As noted in Draft EIS Section 3.6.2.2 (Incorporating Indigenous and Local Knowledge), available Indigenous and Local Knowledge shared by Indigenous Groups was considered in the assessment of effects for each discipline section, including Wildlife and Wildlife Habitat (Draft EIS Section 14). To show where Indigenous Knowledge was considered, citations are noted throughout Draft EIS Section 14; these references can be identified as “TSD …” for Indigenous Knowledge and Traditional Land Use (IKTLU) Studies or “JWG…” for Joint Working Group meetings. For example, in Draft EIS Section 14.5.1.1.2 (Habitat Distribution), it is recognized that community members expressed concern about impacts of the Project on caribou migration routes (BNDN-JWG 2019b). Other feedback and Indigenous and Local Knowledge related to loss of habitat were also shared with NexGen. Regarding member access/movement, the CRDN mapped travel routes from Highway 955, along existing access road, and east to destinations on the Clearwater and Mirror rivers (TSD V.1: CRDN and TSD V.2: CRDN). Travel routes identified by the BNDN were provided in TSD II: BNDN. Trails and travel routes used by the BRDN and other Indigenous Groups to access areas in the past and today are discussed in TSD III: BRDN. NexGen notes that the information presented in the IKTLU studies is confidential; therefore, specific figures are not provided within the EIS.
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?	As noted in Draft EIS Section 3.6.2.2 (Incorporating Indigenous and Local Knowledge), available Indigenous and Local Knowledge shared by Indigenous Groups was considered in the assessment of effects for each discipline section, including Wildlife and Wildlife Habitat (Draft EIS Section 14). To show where Indigenous Knowledge was considered, citations are noted throughout Draft EIS Section 14; these references can be identified as “TSD …” for Indigenous Knowledge and Traditional Land Use (IKTLU) Studies or “JWG…” for Joint Working Group meetings. For example, in Draft EIS Section 14.5.1.1.2 (Habitat Distribution), it is recognized that community members expressed concern about impacts of the Project on caribou migration routes (BNDN-JWG 2019b). Other feedback and Indigenous and Local Knowledge related to loss of habitat were also shared with NexGen. Regarding member access/movement, the CRDN mapped travel routes from Highway 955, along existing access road, and east to destinations on the Clearwater and Mirror rivers (TSD V.1: CRDN and TSD V.2: CRDN). Travel routes identified by the BNDN were provided in TSD II: BNDN. Trails and travel routes used by the BRDN and other Indigenous Groups to access areas in the past and today are discussed in TSD III: BRDN. NexGen notes that the information presented in the IKTLU studies is confidential; therefore, specific figures are not provided within the EIS.
450.	ACFN (October 28, 2022)	Section 14.7	Please discuss how wildlife use of reclaimed habitat will be assessed in follow up programs.	NexGen confirms that the Environmental Protection Program and supporting documentation (e.g., Environmental Monitoring Plan) and processes will outline considerations for the wildlife monitoring, including factors associated with wildlife use of reclaimed habitat, where required. Monitoring would aim to evaluate the effectiveness of environmental protection measures and contribute to adaptive management measures, if required, to verify that the assessment endpoints assessed in the EA are maintained. Development of the monitoring programs will be completed as part of the provincial permitting and federal licensing processes. In addition to NexGen monitoring activities, independent Indigenous monitoring would also be conducted by the primary Indigenous Groups. Each Indigenous Monitor (one per primary Indigenous Group) would have access to conduct environmental sampling for the Project, subject to the Indigenous Monitor complying with appropriate health and safety and other reasonable site-specific policies (Draft EIS Section 14.7 [Monitoring, Follow-Up, and Adaptive Management]).
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.	NexGen confirms that the Environmental Protection Program and supporting documentation (e.g., Environmental Monitoring Plan) and processes will outline considerations for the wildlife monitoring. Monitoring would aim to evaluate the effectiveness of environmental protection measures and contribute to adaptive management measures, if required, to verify that the assessment endpoints assessed in

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				the EA are maintained. Development of the monitoring programs will be completed as part of the provincial permitting and federal licensing processes.
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?	NexGen confirms that no modifications are necessary as previous and existing data and literature on burn age associated with optimal moose habitat were incorporated into the habitat suitability index model for the Project (Draft EIS Appendix 14B [Wildlife Habitat Models]).
453.	ACFN (October 28, 2022)	Appendix 14B	Is there any forestry activity in the area that needs to be considered in the HSI?	NexGen confirms that there are no forestry operations in the wildlife regional study area. As noted in Draft EIS Section 14.2.5 (Assessment Cases), Carrier Forest Products and Mistik Management Ltd. have forest management plans south of La Loche; however, these forest management plans are well south of the regional study area.
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)?	The moose habitat suitability index model considers the age of burns, quality of moose forage, and the habitat quality of linear features (due to sensory disturbance and predation), which were given poor and low suitability values. NexGen notes that there is no forestry activity in the regional study area. Linear features that intersected moderate and high-quality habitats decreased the quality of those habitats in consideration of the interaction between moose forage and predator access. The assessment also qualitatively examined moose-predator interactions (Draft EIS Section 14.3.2 [Moose]).
455.	ACFN (October 28, 2022)	Appendix 14B	Are pools of existing data and scientific consensus regarding moose populations available for the area?	NexGen confirms that available previous and existing data and literature on moose populations in the region are provided in Draft EIS Section 14.3.2 (Moose) and Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]).
456.	ACFN (October 28, 2022)	Appendix 14B	Are other moose models available for a similar region that have been developed with validation?	NexGen confirms that available previous and existing data and literature on moose habitat selection and suitability were incorporated into the habitat suitability index model for the Project. The model was validated by Dr. P. McLoughlin, University of Saskatchewan (Draft EIS Appendix 14B [Wildlife Habitat Models]).
457.	ACFN (October 28, 2022)	Appendix 14B	Can additional pre-disturbance data be collected for the purpose of model validation?	Evaluating habitat suitability index (HSI) models is often, by definition, difficult because this model type is most frequently used when data are insufficient to support empirical modelling approaches (e.g., resource selection functions or other statistical methods). Most of the wildlife valued components (VCs) occupy the regional study area (RSA) at low density (e.g., moose, wolf, olive-sided flycatcher, rusty blackbird), making it challenging to collect sufficient data for model validation using techniques such as winter track counts and breeding bird surveys. Therefore, models were developed based on the relevant scientific literature, and knowledge of specifies life history and land cover types in the RSA. For wolf and black bear, the models used the results from resource selection functions generated for populations north of the Project to help classify ecosites into habitat suitability categories. Also, five of the eight models were evaluated by third party experts (University of Saskatchewan professors) and adjustments were made when recommended (i.e., wolf and olive-sided flycatcher). Overall, the structure and predictive outputs of the HSI models fit with the current state of knowledge regarding the ecology and habitat preferences of VCs. Any refinements to the models from the collection of additional baseline data are not expected to change confidence in the effects predictions or the assessment conclusions.
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.	The spatial extent of zones of influence (ZOI) of Project effects and other existing and future disturbances were developed for each valued component and each type of human development feature based on existing information about species sensitivities to disturbances (Draft EIS Appendix 14B [Wildlife Habitat Models]). For example, habitat for moose is considered unsuitable (i.e., has a ZOI) within 500 m of existing access roads while the same disturbance type has a ZOI of 100 m for mallard (Draft EIS Appendix 14B, Section 14B2.3, Table 14B2-2). The ZOI for woodland caribou (500 m) is based on federal criteria for calculating disturbance to caribou habitat (Section 14.3.1.1).
459.	ACFN (October 28, 2022)	Appendix 14B	Please provide information on the overall level of linear disturbance in the RSA.	Linear disturbance types and densities are described in the existing conditions sections for caribou and moose (Draft EIS Section 14.3.1 [Woodland Caribou] and Draft EIS Section 14.3.2 [Moose], respectively). For example, in the regional study area, linear feature density is estimated at 0.55 km/km^2. The current density of roads (i.e., Highway 955, existing access road, and rough roads) is 0.15 km/km^2. Other linear features (i.e., trails, cutlines, and seismic lines) contribute an additional 0.40 km/km^2, with most of the disturbance aggregated near the western boundary of the RSA. Changes in linear disturbance are described in Section 14.5 (Residual Effects Analysis).
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?	NexGen confirms that existing linear disturbances were included in the wolf habitat suitability model (Draft Appendix 14B [Wildlife Habitat Models], Section 14B.3.2, Table 14B3-2). Wolf use of linear disturbances is described in Draft EIS Section 14.3.3 (Grey Wolf) and is further considered in the Draft EIS Section 14.5.3 (Grey Wolf). As the Project would use existing access, no changes in linear feature density in the local study area and regional study area are anticipated (Draft EIS Section 14.5.3.1.2 [Habitat Distribution]). Therefore, NexGen maintains that the classifications in the wolf habitat modelling are accurate.
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	NexGen confirms that Draft EIS Section 14.5.13 (Effects on Biodiversity) summarizes the quantitative and qualitative changes to ecosystems and wildlife VCs. No further assessment is required.

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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. The ACFN identify as an "Other Indigenous Group". The Rationale for this is cited in Table 1.2-2 and includes the following statement/bullet point: "Potential overlap with traditional territory but no access link or known residency/land use." This statement is factually incorrect, as the ACFN maintains active use in the area. 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 the ACFN	As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), multiple factors were considered by NexGen when determining the Indigenous Groups identified for full engagement (i.e., primary Indigenous Groups) and the Indigenous Groups identified for information sharing (i.e., other Indigenous Groups). These factors included the process undertaken by NexGen to determine engagement requirements, mapping Indigenous Groups identified for potential engagement along the Consultation Activity Spectrum (CNSC 2022), and considering information contained within letters sent to Indigenous Groups by the CNSC and the Saskatchewan Ministry of Environment (ENV). The NexGen process to determine Indigenous Groups who may be engaged on the Project included consideration of: ▪ historical and modern treaties; ▪ proximity of the Project to Indigenous communities; ▪ traditional territories; ▪ traditional and current land uses; ▪ settled or ongoing land claims and/or litigation; ▪ existing relationships between Indigenous communities and NexGen or the CNSC; and ▪ potential Project effects on health and safety, the environment, and any potential or established Aboriginal or treaty rights and related interests of Indigenous Groups. Following the identification process, Indigenous Groups that were identified for potential engagement were mapped along the consultation activity spectrum as outlined in REGDOC-3.2.2 Version 1.1 (CNSC 2019), which considered each group's potential to be affected by or to influence the Project, their proximity to the Project, their traditional territory, and their level of interest expressed in the Project. As an additional measure, NexGen reviewed the letters drafted by the CNSC and the ENV to provide notice of the proposed Project to Indigenous Groups. In the CNSC letters dated 2 April 2019, the information articulated within the "Indigenous Consultation" section varied between Indigenous Groups. Certain Indigenous Groups (i.e., the Indigenous Groups ultimately defined as 'primary' by NexGen) were encouraged to advise the CNSC of potential Project effects to rights, note which rights the Indigenous Group felt may be affected, provide local and traditional knowledge to support determination of potential impacts to rights and mitigation measures, and advise the CNSC how the Indigenous Group would like to be consulted by the Crown during the regulatory review process. The other Indigenous Groups (i.e., the Indigenous Groups ultimately defined as 'other' by NexGen such as the ACFN) were simply requested to provide any views they may have regarding the Project. With respect to the ENV correspondence, letters were only sent to the Indigenous Groups ultimately defined as primary by NexGen. These Indigenous Groups collectively represent the First Nation and Métis communities for which the ENV assigned procedural aspects of the Duty to Consult for the Project to NexGen. NexGen further notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of *Níh boghodi: We are the stewards of our land* (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Based on the detailed process to determine which Indigenous Groups would be directly affected by the Project and currently known information presented above, NexGen maintains that the ACFN are not expected to experience direct effects for the Project and the designation of the ACFN as an "other Indigenous Group" is appropriate. NexGen has shared Project information on this basis. **References** CNSC (Canadian Nuclear Safety Commission). 2019. REGDOC-3.2.2, Indigenous Engagement, Version 1.1. August 2019. ISBN: 978 0 660 04518 4. Available at http://www.nuclearsafety.gc.ca/pubs_catalogue/uploads/REGDOC-3-2-2-Aboriginal-Engagement-version-1.1-eng.pdf. CNSC. 2022. REGDOC-3.2.2, Indigenous Engagement, Version 1.2. February 2022. Available at http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-2-v1-2/index.cfm.

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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 the ACFN could be potentially affected by it.	Since initiating engagement on the proposed Project with the ACFN in 2019, NexGen has provided regular updates on the Project and offered to meet with the ACFN on multiple occasions. A detailed summary of attempted or conducted engagement activities with the ACFN may be found in Table 2A-6 of Draft EIS Appendix 2A (Indigenous Group Engagement Activities).
464.	ACFN (October 28, 2022)	Section 1.3.2	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”. On the basis of inaccurate information, NexGen categorized the 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." Please describe what efforts were undertaken, if any, to confirm the above statement directly with the ACFN prior to including it in the EIS.	As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), multiple factors were considered by NexGen when determining the Indigenous Groups identified for full engagement (i.e., primary Indigenous Groups) and the Indigenous Groups identified for information sharing (i.e., other Indigenous Groups). These factors included the process undertaken by NexGen to determine engagement requirements, mapping Indigenous Groups identified for potential engagement along the Consultation Activity Spectrum (CNSC 2022), and considering information contained within letters sent to Indigenous Groups by the CNSC and the Saskatchewan Ministry of Environment (ENV). The NexGen process to determine Indigenous Groups who may be engaged on the Project included consideration of: ▪ historical and modern treaties; ▪ proximity of the Project to Indigenous communities; ▪ traditional territories; ▪ traditional and current land uses; ▪ settled or ongoing land claims and/or litigation; ▪ existing relationships between Indigenous communities and NexGen or the CNSC; and ▪ potential Project effects on health and safety, the environment, and any potential or established Aboriginal or treaty rights and related interests of Indigenous Groups. Following the identification process, Indigenous Groups that were identified for potential engagement were mapped along the consultation activity spectrum as outlined in REGDOC-3.2.2 Version 1.1 (CNSC 2019), which considered each group’s potential to be affected by or to influence the Project, their proximity to the Project, their traditional territory, and their level of interest expressed in the Project. As an additional measure, NexGen reviewed the letters drafted by the CNSC and the ENV to provide notice of the proposed Project to Indigenous Groups. In the CNSC letters dated 2 April 2019, the information articulated within the “Indigenous Consultation” section varied between Indigenous Groups. Certain Indigenous Groups (i.e., the Indigenous Groups ultimately defined as ‘primary’ by NexGen) were encouraged to advise the CNSC of potential Project effects to rights, note which rights the Indigenous Group felt may be affected, provide local and traditional knowledge to support determination of potential impacts to rights and mitigation measures, and advise the CNSC how the Indigenous Group would like to be consulted by the Crown during the regulatory review process. The other Indigenous Groups (i.e., the Indigenous Groups ultimately defined as ‘other’ by NexGen such as the ACFN) were simply requested to provide any views they may have regarding the Project. With respect to the ENV correspondence, letters were only sent to the Indigenous Groups ultimately defined as primary by NexGen. These Indigenous Groups collectively represent the First Nation and Métis communities for which the ENV assigned procedural aspects of the Duty to Consult for the Project to NexGen. NexGen further notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of *Níh boghodi: We are the stewards of our land* (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Based on the detailed process to determine which Indigenous Groups would be directly affected by the Project and currently known information presented above, NexGen maintains that the ACFN are not expected to experience direct effects for the Project and the designation of the ACFN as an “other Indigenous Group” is appropriate. NexGen has shared Project information on this basis. With respect to efforts undertaken to engage with the ACFN, a detailed summary of attempted or conducted engagement activities with the ACFN may be found in Table 2A-6 of Draft EIS Appendix 2A (Indigenous Group Engagement Activities).

Environmental Impact Statement – Consolidated Comments from Indigenous Nations and Communities and the Public on the NexGen Rook I Project Draft EIS (For NexGen Response)

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
				References CNSC (Canadian Nuclear Safety Commission). 2019. REGDOC-3.2.2, Indigenous Engagement, Version 1.1. August 2019. ISBN: 978 0 660 04518 4. Available at http://www.nuclearsafety.gc.ca/pubs_catalogue/uploads/REGDOC-3-2-2-Aboriginal-Engagement-version-1.1-eng.pdf. CNSC. 2022. REGDOC-3.2.2, Indigenous Engagement, Version 1.2. February 2022. Available at http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-2-v1-2/index.cfm.
465.	ACFN (October 28, 2022)	Section 2.4.1	Please provide further rational for determining the ACFN as a group who would not require the same level of consultation as a primary Indigenous group	As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), multiple factors were considered by NexGen when determining the Indigenous Groups identified for full engagement (i.e., primary Indigenous Groups) and the Indigenous Groups identified for information sharing (i.e., other Indigenous Groups). These factors included the process undertaken by NexGen to determine engagement requirements, mapping Indigenous Groups identified for potential engagement along the Consultation Activity Spectrum (CNSC 2022), and considering information contained within letters sent to Indigenous Groups by the CNSC and the Saskatchewan Ministry of Environment (ENV). The NexGen process to determine Indigenous Groups who may be engaged on the Project included consideration of: ▪ historical and modern treaties; ▪ proximity of the Project to Indigenous communities; ▪ traditional territories; ▪ traditional and current land uses; ▪ settled or ongoing land claims and/or litigation; ▪ existing relationships between Indigenous communities and NexGen or the CNSC; and ▪ potential Project effects on health and safety, the environment, and any potential or established Aboriginal or treaty rights and related interests of Indigenous Groups. Following the identification process, Indigenous Groups that were identified for potential engagement were mapped along the consultation activity spectrum as outlined in REGDOC-3.2.2 Version 1.1 (CNSC 2019), which considered each group's potential to be affected by or to influence the Project, their proximity to the Project, their traditional territory, and their level of interest expressed in the Project. As an additional measure, NexGen reviewed the letters drafted by the CNSC and the ENV to provide notice of the proposed Project to Indigenous Groups. In the CNSC letters dated 2 April 2019, the information articulated within the "Indigenous Consultation" section varied between Indigenous Groups. Certain Indigenous Groups (i.e., the Indigenous Groups ultimately defined as 'primary' by NexGen) were encouraged to advise the CNSC of potential Project effects to rights, note which rights the Indigenous Group felt may be affected, provide local and traditional knowledge to support determination of potential impacts to rights and mitigation measures, and advise the CNSC how the Indigenous Group would like to be consulted by the Crown during the regulatory review process. The other Indigenous Groups (i.e., the Indigenous Groups ultimately defined as 'other' by NexGen such as the ACFN) were simply requested to provide any views they may have regarding the Project. With respect to the ENV correspondence, letters were only sent to the Indigenous Groups ultimately defined as primary by NexGen. These Indigenous Groups collectively represent the First Nation and Métis communities for which the ENV assigned procedural aspects of the Duty to Consult for the Project to NexGen. NexGen further notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of *Níh boghodi: We are the stewards of our land* (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Based on the detailed process to determine which Indigenous Groups would be directly affected by the Project and currently known information presented above, NexGen maintains that the ACFN are not expected to experience direct effects for the Project and the designation of the ACFN as an "other Indigenous Group" is appropriate. NexGen has shared Project information on this basis.

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				References CNSC (Canadian Nuclear Safety Commission). 2019. REGDOC-3.2.2, Indigenous Engagement, Version 1.1. August 2019. ISBN: 978 0 660 04518 4. Available at http://www.nuclearsafety.gc.ca/pubs_catalogue/uploads/REGDOC-3-2-2-Aboriginal-Engagement-version-1.1-eng.pdf. CNSC. 2022. REGDOC-3.2.2, Indigenous Engagement, Version 1.2. February 2022. Available at http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-2-v1-2/index.cfm.
466.	ACFN (October 28, 2022)	Section 2.4.1	Please enter into a full Study Agreement with the ACFN, which would commence with the ACFN undertaking a TLU/IK study to further enhance NexGen's understanding of the ACFN use and ACFN Indigenous Knowledge. This information, and subsequent studies as deemed relevant, must then be used to re-evaluate the EIS, including relevant impact predictions and proposed mitigations.	NexGen notes that as the ACFN are not anticipated to be directly affected by the Project due to the Project location being located outside of the ACFN Homeland (ACFN 2010), implementing a Project-specific full study agreement that includes capacity funding for an Indigenous Knowledge and Traditional Land Use Study is not warranted. However, NexGen confirms that since May 2023, NexGen and the ACFN have been working on advancing an engagement agreement. The intent of this agreement is to provide a framework for engagement between NexGen and the ACFN for an appropriate level of engagement related to both the Project (i.e., continuing to engage with the ACFN at a level consistent with the "other Indigenous Groups") and other NexGen tenure activities where the ACFN may be directly or indirectly affected. An important goal to NexGen is to have an "open-door policy" to engagement, while respecting each group's desired engagement approach and topics of interest (Draft EIS Section 2.5 [Engagement Approach]).
467.	ACFN (October 28, 2022)	Section 2.4.1	NexGen identified the 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. Please enter into a study agreement with the ACFN to provide TLU/IK Study, site visits, meetings with the ACFN and ACFN leadership.	NexGen notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of *Níh boghodi: We are the stewards of our land* (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). NexGen further notes that as the ACFN are not anticipated to be directly affected by the Project due to the Project location being located outside of the ACFN Homeland (ACFN 2010), implementing a Project-specific full study agreement that includes capacity funding for an Indigenous Knowledge and Traditional Land Use Study is not warranted. However, NexGen confirms that since May 2023, NexGen and the ACFN have been working on advancing an engagement agreement. The intent of this agreement is to provide a framework for engagement between NexGen and the ACFN for an appropriate level of engagement related to both the Project (i.e., continuing to engage with the ACFN at a level consistent with the "other Indigenous Groups") and other NexGen tenure activities where the ACFN may be directly or indirectly affected. An important goal to NexGen is to have an "open-door policy" to engagement, while respecting each group's desired engagement approach and topics of interest (Draft EIS Section 2.5 [Engagement Approach]).
468.	ACFN (October 28, 2022)	Section 2.5.2	**1)** Please provide information on the reclamation-related caribou research project. **2)** Please include the ACFN in the reclamation-related caribou research project.	NexGen notes that the caribou reclamation research project referenced in Draft EIS Section 2.5.2 (Indigenous Engagement Methods) is being conducted outside of the scope of the EA; however, NexGen is able to share information with the ACFN through engagement activities between NexGen and the ACFN.
469.	ACFN (October 28, 2022)	Section 2.5.2	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." The above statement is false as the ACFN has requested funding for a study in 2019 and was denied funding. Please include the ACFN as a full participator in this process	NexGen maintains that the quote referenced by the reviewer is accurate. NexGen notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of Níh boghodi: We are the stewards of our land (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Therefore, the ACFN are not anticipated to be directly affected by the Project, and in alignment with the quote referenced by the reviewer, providing funding for a Project Indigenous Knowledge and Traditional Land Use Study or to include the ACFN as a full participator in the engagement process along with the primary Indigenous Groups would not be appropriate. NexGen will continue to have an engage with the ACFN at a level consistent with the "other Indigenous Groups".

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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
470.	ACFN (October 28, 2022)	Section 2.5.5	Please explain what efforts NexGen will undertake to engage with the ACFN, including providing the ACFN with site visits, meetings and other project-information sharing activities, and meetings with ACFN Leadership	As evidence of this continued engagement effort, NexGen confirms that since May 2023, NexGen and the ACFN have been working on advancing an engagement agreement. The intent of this agreement is to provide a framework for engagement between NexGen and the ACFN for an appropriate level of engagement related to both the Project (i.e., continuing to engage with the ACFN at a level consistent with the "other Indigenous Groups") and other NexGen tenure activities where the ACFN may be directly or indirectly affected. An important goal to NexGen is to have an "open-door policy" to engagement, while respecting each group's desired engagement approach and topics of interest (Draft EIS Section 2.5 [Engagement Approach]). NexGen confirms that the exact engagement activities to be conducted in the future with respect to the Project will be defined through continued discussions with the ACFN, including any mechanisms and activities resulting from a formalized engagement agreement.
471.	ACFN (October 28, 2022)	Section 2.7.1.1	The following are activities NexGen's planned engagement with the ACFN: - Joint Working Groups - Joint Working Group Summaries - Joint Working Group Breakout Sessions - Indigenous Group Leadership and Staff - Benefit Agreements The ACFN has not been included in any of the above engagement opportunities to date **1)** Please provide an invitation to join the working groups **2)** Please include the ACFN on any indigenous collaboration efforts as a priority Indigenous Group	NexGen notes that the list of engagement activities referenced by the reviewer refer to the key activities being undertaken with both primary Indigenous Groups and other Indigenous Groups. As the ACFN are classified as an other Indigenous Group, not all of these engagement activities will apply. NexGen confirms that since May 2023, NexGen and the ACFN have been working on advancing an engagement agreement. The intent of this agreement is to provide a framework for an appropriate level of engagement between NexGen and the ACFN related to both the Project (i.e., continuing to engage with the ACFN at an inform level consistent with the "other Indigenous Groups") and other NexGen tenure activities where the ACFN may be directly or indirectly affected. The exact engagement activities to be conducted in the future with respect to the Project will be defined by the engagement agreement.
472.	ACFN (October 28, 2022)	Section 2.5.5, 2.6.1.2.2, 3.1.1	Please include the ACFN within the local priority area.	NexGen notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of Níh boghodi: We are the stewards of our land (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Therefore, including the ACFN in the local priority area alongside the primary Indigenous Groups who would be directly affected by the Project would not be appropriate. While NexGen is committed to prioritizing local training, employment, and business opportunities for the Project within the local priority area (i.e., those communities closest to the Project that would experience most of the Project effects), NexGen has and will continue to engage with and include non-LPA communities and Nations in training, employment, and business opportunity initiatives related to the Project.
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 the ACFN to provide TLU/IK Study, site visits, meetings with the ACFN and ACFN leadership.	NexGen confirms that since May 2023, NexGen and the ACFN have been working on advancing an engagement agreement. The intent of this agreement is to provide a framework for an appropriate level of engagement between NexGen and the ACFN related to both the Project (i.e., continuing to engage with the ACFN at a level consistent with the "other Indigenous Groups") and other NexGen tenure activities where the ACFN may be directly or indirectly affected. An important goal to NexGen is to have an "open-door policy" to engagement, while respecting each group's desired engagement approach and topics of interest (Draft EIS Section 2.5 [Engagement Approach]). NexGen confirms that the exact engagement activities to be conducted in the future with respect to the Project will be defined through continued discussions with the ACFN, including any mechanisms and activities resulting from a formalized engagement agreement.

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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
474.	ACFN (October 28, 2022)	Section 3.1.1	NexGen states: “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” Please provide instances in which NexGen illustrated reconciliation with the ACFN when it comes to rights, respect, cooperation, and partnership.	NexGen notes that the quote referenced by the reviewer is with respect to the practice of incorporating Indigenous Knowledge within the EA and the reference to advancing reconciliation is specific to a Government of Canada commitment. With respect to NexGen’s commitment to respectful engagement, as noted in Table 2A-6 of Draft EIS Appendix 2A (Indigenous Group Engagement Activities), NexGen engaged with the ACFN following submission of a Project Description to the CNSC and ENV in 2019. In the communication with the ACFN, NexGen noted that available information showed that the ACFN’s traditional territory does not include the Project location; however, it was requested that the ACFN notify NexGen if there is additional information that indicates otherwise. Following these communications, the ACFN did not provide any information supporting a claim that the Project was located within the ACFN traditional territory. Since the submission of the Project Description in 2019, NexGen has provided updates to the ACFN regarding major Project milestones, which were accompanied by offers to meet and discuss any related items of interest to the ACFN. This approach is in alignment with NexGen’s vision and values and consistent with engagement requirements for an other Indigenous Group.
475.	ACFN (October 28, 2022)	Section 3.2.1	The ACFN is highly active in the area of the project 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 the ACFN as a primary Indigenous group it still does not excuse the lack of adequate consultation. Please provide further references to the selection of priority Indigenous Groups	NexGen respectfully disagrees with the reviewer’s statement that the ACFN is highly active within the area of the Project. NexGen notes that available information, including information provided by the ACFN through Project engagement activities, did not demonstrate that the ACFN have documented traditional land use activities within any of the Project local study areas (LSAs). Map 1 of *Níh boghodi: We are the stewards of our land* (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Therefore, no changes are required for the Final EIS. As noted in Draft EIS Section 2.4.1 (Identification of Indigenous Groups for Engagement), multiple factors were considered by NexGen when determining the Indigenous Groups identified for full engagement (i.e., primary Indigenous Groups) and the Indigenous Groups identified for information sharing (i.e., other Indigenous Groups). These factors included the process undertaken by NexGen to determine engagement requirements, mapping Indigenous Groups identified for potential engagement along the Consultation Activity Spectrum (CNSC 2022), and considering information contained within letters sent to Indigenous Groups by the CNSC and the Saskatchewan Ministry of Environment (ENV). The NexGen process to determine Indigenous Groups who may be engaged on the Project included consideration of: ▪ historical and modern treaties; ▪ proximity of the Project to Indigenous communities; ▪ traditional territories; ▪ traditional and current land uses; ▪ settled or ongoing land claims and/or litigation; ▪ existing relationships between Indigenous communities and NexGen or the CNSC; and ▪ potential Project effects on health and safety, the environment, and any potential or established Aboriginal or treaty rights and related interests of Indigenous Groups. Following the identification process, Indigenous Groups that were identified for potential engagement were mapped along the consultation activity spectrum as outlined in REGDOC-3.2.2 Version 1.1 (CNSC 2019), which considered each group’s potential to be affected by or to influence the Project, their proximity to the Project, their traditional territory, and their level of interest expressed in the Project. As an additional measure, NexGen reviewed the letters drafted by the CNSC and the ENV to provide notice of the proposed Project to Indigenous Groups. In the CNSC letters dated 2 April 2019, the information articulated within the “Indigenous Consultation” section varied between Indigenous Groups. Certain Indigenous Groups (i.e., the Indigenous Groups ultimately defined as ‘primary’ by NexGen) were encouraged to advise the CNSC of potential Project effects to rights, note which rights the Indigenous Group felt may be affected, provide local and traditional knowledge to support determination of potential impacts to rights and mitigation measures, and advise the CNSC how the Indigenous Group would like to be consulted by the Crown during the regulatory review process. The other Indigenous Groups (i.e., the Indigenous Groups ultimately defined as ‘other’ by NexGen such as the ACFN) were simply requested to provide any views they may have regarding the Project. With respect to the ENV correspondence, letters were only sent to the Indigenous Groups ultimately defined as primary by NexGen. These Indigenous Groups collectively represent the First Nation and Métis communities for which the ENV assigned procedural aspects of the Duty to Consult for the Project to NexGen.

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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. The map referenced is not part the ACFN consultation policy. The map referenced shows the ACFN priority protection areas and protecting the Woodland caribou, barren ground caribou, and wood bison within the consultation map. The map referenced is not a comprehensive area of the ACFN consultation zones. Please provide the rationale for determining the ACFN territory without adequate consultation with the ACFN	NexGen confirms that Project engagement was conducted with the ACFN prior to the determination of potential overlap of the Project and the ACFN traditional territory. As noted in Table 2A-6 of Draft EIS Appendix 2A (Indigenous Group Engagement Activities), NexGen engaged with the ACFN in 2019 following submission of a Project Description to the CNSC and ENV. Following this initial engagement, the ACFN requested shape files of the Project location. NexGen provided the shape files to the ACFN shortly following the ACFN's request. In the communication with the ACFN, NexGen noted that available information showed that the ACFN's traditional territory does not include the Project location; however, it was requested that the ACFN notify NexGen if there is additional information that indicates otherwise. Following these communications, the ACFN did not provide any information supporting a claim that the Project was located within the ACFN traditional territory. To confirm that the Project is not located within the ACFN traditional territory, publicly available information was reviewed, including *Níh boghodi: We are the stewards of our land* (ACFN 2012) and the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010). Map 1 of *Níh boghodi: We are the stewards of our land* (ACFN 2012) shows that the proposed Project location is located outside the ACFN self-declared protection and stewardship zones; the Project location is only within the ACFN self-declared consultation area. This information is consistent with Map 1 of the *Athabasca Chipewyan First Nation Advice to the Government of Alberta Regarding the Lower Athabasca Regional Plan* (ACFN 2010), which shows the proposed Project is located outside of the ACFN Homeland. In addition, through both attempted and directly conducted engagement activities with the ACFN to date, no specific traditional land uses have been identified within any of the Project LSAs (Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities], Table 2A-6; Draft EIS TSD I [Indigenous Engagement Report], Appendix B, Table B-6). Therefore, no changes are required for the Final EIS. In summary, NexGen maintains that appropriate measures to engage with the ACFN were undertaken and available information shows that the Project is not located within the ACFN traditional territory. Therefore, the ACFN would not be expected to be adversely affected by the Project.

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477.	Métis Nation – Saskatchewan (MN-S) (October 19, 2022)	1.1.1, p. 1-1 to 1-3, Figure 1.1-1	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. Inclusion of NexGen's exploration activities into the cumulative effects assessment is recommended.	NexGen confirms that current exploration activities in the area of the Project, including NexGen exploration activities, were assessed within the EA. The Base Case includes the combined effects from previous, existing, and approved (but not necessarily constructed) projects and activities within the spatial assessment boundaries of VCs and intermediate components (Draft EIS Section 6.5.1 [Base Case]). Therefore, NexGen exploration activities were included within the Base Case assessment, which is then also assessed as part of the Application Case (Draft EIS Section 6.5.2) and Reasonably Foreseeable Development Case (Draft EIS Section 6.5.3) assessments.
478.	MN-S (October 19, 2022)	1.1.6, p. 1-12	"Key themes NexGen has heard and addressed include: … ▪ continued, effective, and respectful engagement with the local communities through all phases of the Project, including consideration of valuable feedback; …" 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.	NexGen acknowledges the reviewer's comment though does not agree that opportunities to review Draft EIS content were not provided to the MN-S. Over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline-specific assessment approaches through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission). NexGen confirms that a copy of the Draft EIS was not provided to the MN-S during the CNSC 30-day conformity review as NexGen wanted to ensure that the Draft EIS was compliant with regulatory requirements prior to providing to Indigenous Groups or the public. Immediately following confirmation of conformance, NexGen hand delivered electronic copies of the Draft EIS to the primary Indigenous Groups, including the MN-S. It is also noted that NexGen agreed to the CNSC's request to extend the public review process by 30 days, or the same time taken for the CNSC conformity review.
479.	MN-S (October 19, 2022)	1.2.1, p.1-16	"NexGen will continue to prioritize training, employment, and business opportunities for the communities closest to the Project." 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 1) NexGen has indeed been successful on prioritization of training, employment, and business opportunities according to communities' definitions and expectations; and 2) NexGen has specific mechanisms in place for prioritizing local economic content.	NexGen notes that, in addition to commitments made within the Draft EIS (e.g., the aspirational target of 75% of the Project's workforce being composed of local residents as described in Draft EIS Appendix 23A [Summary of Project Environmental Design Features and Mitigation Measures]), specific training, employment and business commitments, and initiatives and mechanisms to prioritize local economic content are contained within individual Benefit Agreements negotiated with each primary Indigenous Group. Since the provision of this public comment, a Benefit Agreement that contains these provisions has been signed between NexGen and the MN-S.
480.	MN-S (October 19, 2022)	1.2.1, p.1-17	"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." 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.	NexGen notes that since submission of this comment, a Benefit Agreement has been signed between NexGen and the MN-S.
481.	MN-S (October 19, 2022)	1.2.2, 1-21	Figure 1.2-2 Regional Area of the Rook I Project 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. Request - Inclusion by NexGen of the boundary of Clearwater Provincial Park in Figure 1.2-2, Regional Area of the Rook I Project	NexGen notes that the Clearwater River Provincial Park is presented in its entirety in Figure 1.2-3 of Draft EIS Section 1.2.2 (Project Location and Setting) whereas Figure 1.2-2 of Draft EIS Section 1.2.2 is intended to focus on watercourses and waterbodies rather than presenting regional land uses.

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482.	MN-S (October 19, 2022)	1.2.2-1-23	Figure 1.2-4 Active Mineral Dispositions in the Area of the Rook I Project 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. 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.	NexGen confirms that current exploration activities in the area of the Project, including NexGen exploration activities, were assessed within the EA. The Base Case includes the combined effects from previous, existing, and approved (but not necessarily constructed) projects and activities within the spatial assessment boundaries of VCs and intermediate components (Draft EIS Section 6.5.1 [Base Case]). Therefore, NexGen exploration activities were included within the Base Case assessment, which is then also assessed as part of the Application Case (Draft EIS Section 6.5.2) and Reasonably Foreseeable Development Case (Draft EIS Section 6.5.3) assessments.
483.	MN-S (October 19, 2022)	2.3.1, 2-10	"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." 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.	NexGen acknowledges the reviewer's comment though does not agree that opportunities to review Draft EIS content were not provided to the MN-S. Over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline-specific assessment approaches through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission). NexGen confirms that a copy of the Draft EIS was not provided to the MN-S during the CNSC 30-day conformity review as NexGen wanted to ensure that the Draft EIS was compliant with regulatory requirements prior to providing to Indigenous Groups or the public. Immediately following confirmation of conformance, NexGen hand delivered electronic copies of the Draft EIS to the primary Indigenous Groups, including the MN-S. It is also noted that NexGen agreed to the CNSC's request to extend the public review process by 30 days, or the same time taken for the CNSC conformity review.
484.	MN-S (October 19, 2022)	2.4.2.2.1, 2-23	"… lesbian, gay, bisexual, transgender, queer or questioning, and two-spirit plus." 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. 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.	NexGen will amend the text in Final EIS Section 2.4.2.2.1 (Members of the Public) to state "lesbian, gay, bisexual, transgender, queer or questioning, and two-spirit plus people". No further amendments are required to the Final EIS as the individuals referenced by the reviewer are identified as specific groups outside of members of the general public.
485.	MN-S (October 19, 2022)	2.5, 2-25 Figure 2.5-1	The use of the International Association of Public Participation (IAP2) spectrum together with the explanatory text is vague and potentially 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. 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."	NexGen notes that the text referencing the International Association of Public Participation (Draft EIS Section 2.5 [Engagement Approach]) provides context for the levels of engagement considered for the Project, which could range from inform to empower. Draft EIS Section 2.5.2 (Indigenous Engagement Methods) goes on to further note that Indigenous engagement for the Project ranged from inform to collaborate participation levels. This is consistent with the language used in Draft EIS Section 1 (Introduction).
486.	MN-S (October 19, 2022)	2.5.2.1, 2-31	"NexGen has honoured the MN-S request to conduct engagement through MN-S …" 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.	NexGen notes that the terms 'honour' and 'request' are appropriate as stated and no changes to the Draft EIS are required.

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487.	MN-S (October 19, 2022)	2.5.5, 2-37	Incorporation of Indigenous and Local Knowledge "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." 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.	NexGen notes that the text referenced by the reviewer in Draft EIS Section 2.5.5 (Incorporation of Indigenous and Local Knowledge) represents a component of the Indigenous Knowledge definition, with the subsequent text referring the reviewer to a more detailed definition of Indigenous Knowledge in Draft EIS Section 3.4.1 (Defining Indigenous Knowledge). NexGen also notes that feedback from local priority area Indigenous Groups specified that information provided from an Indigenous person does not necessarily represent Indigenous Knowledge; Indigenous Knowledge must be sanctioned by Elders or Indigenous Groups. For the purposes of the EA, unsanctioned information from a local community member was considered to be Local Knowledge (Draft EIS Section 3.4.2 [Defining Local Knowledge]). No changes to the Draft EIS are required.
488.	MN-S (October 19, 2022)	2.6.1.1.1, 2-41	"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." 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 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 ▪ early contents of baseline studies, ▪ identified effects, and ▪ mitigation measures. 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.	NexGen notes that the text presented in Draft EIS Section 2.6.1.1.1 (Summary of Joint Working Group Activities) represents a statement of facts. No changes to the Draft EIS are required.
489.	MN-S (October 19, 2022)	2.6.1.1.1, 2-42	Table 2.6-3 Joint Working Group Meeting Topics "Information sent" (regarding 2021 Joint Working Group Meeting Topics) Sending information does not constitute collaborative, two-way engagement, which NexGen elsewhere in the draft EIS says it wishes to conduct. 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.	NexGen notes that, as stated in Draft EIS Section 2.6.1.1.1 (Summary of Joint Working Group Activities), a goal of the Joint Working Groups (JWGs) was to meet every four to eight weeks, with the meeting cadence being set by each primary Indigenous Group. NexGen offered equal JWG meeting opportunities to each primary Indigenous Group, with the actual meeting cadence being determined by the primary Indigenous Group, including the MN-S. When NexGen felt there was important Project information to be disseminated, a JWG meeting time was proposed. Where meetings were held with one or more primary Indigenous Groups but not all primary Indigenous Groups were able to attend, under the principle of providing equal information within a similar timeframe, NexGen forwarded meeting materials to all primary Indigenous Groups. While it is acknowledged that providing meeting summary information did not represent the preferred collaborative approach NexGen wished to follow, it was the primary option available for times when the MN-S was unable to attend JWG meetings. NexGen notes that, within each summary, offers were made by NexGen to meet with the MN-S and/or to have the MN-S provide feedback on the materials provided.
490.	MN-S (October 19, 2022)	2.6.1.1.1, 2-43	Table 2.6-3 Joint Working Group Meeting Topics ▪ "Baseline studies, ▪ Terrestrial, ▪ Aquatic, ▪ Environmental interactions (i.e., pathways) ▪ Cumulative effects …" 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. 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.	NexGen notes that details regarding when Joint Working Group meetings were offered to the MN-S are provided in Draft EIS Appendix 2A (Indigenous Group Engagement Activities). No changes to Table 2.6-3 in Draft EIS Section 2.6.1.1.1 (Summary of Joint Working Group Activities) are required.
491.	MN-S (October 19, 2022)	2.6.1.1.1, 2-45 Overall organization of the section	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.	NexGen acknowledges the reviewer's comment and notes the request to summarize engagement information on a Nation-by-Nation basis is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Furthermore, summarizing engagement information on a Nation-by-Nation basis does not align with national and international good practice.

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			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.	**References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
492.	MN-S (October 19, 2022)	2.6.1.2.1, 2-46	"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. 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.	NexGen notes that the information provided in Draft EIS Section 2.6.1.2.1 (Primary Indigenous Groups) is intended to summarize themes heard from primary Indigenous Groups through Project engagement activities. NexGen also notes the request to summarize engagement information on a Nation-by-Nation basis is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Furthermore, summarizing engagement information on a Nation-by-Nation basis does not align with national and international good practice. No changes to Draft EIS Section 2.6.1.2.1 are required. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
493.	MN-S (October 19, 2022)	2.6.3.1.1, 2-55	"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." 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. 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.	NexGen notes that an engagement process agreed upon by both NexGen and the MN-S was in place during the development of the EIS. During the fall of 2019, NexGen entered into a Study Agreement with the MN-S. The Study Agreements outlined the engagement approach as well as the resources and funds provided by NexGen to support Indigenous Group participation in the Project EA process. Each Study Agreement formalized an engagement process between NexGen and the MN-S to, among other things, identify and characterize potential effects on Indigenous rights and socio-economic interests resulting from the Project, and to collaboratively identify potential avoidance, mitigation, and accommodation measures related to all identified effects on those rights (Draft EIS Section 2.5.2.1 [Study Agreements]). NexGen also notes that since the submission of this public comment, additional community sessions have occurred in 2022 and 2023, including Métis-specific community information sessions in October 2022. In addition, NexGen and the MN-S have signed a Benefit Agreement that outlines methods of engagement and collaboration throughout the Project lifespan. In consideration of the information presented above, NexGen believes that the reviewer's request is no longer applicable.
494.	MN-S (October 19, 2022)	2.6.3.1.1, 2-55	"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." 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. 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.	NexGen notes that since the submission of this public comment, additional community sessions have occurred in 2022 and 2023, including Métis-specific community information sessions in October 2022. As a result, the reviewer's request has been addressed.

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495.	MN-S (October 19, 2022)	2.6.3.1.3, 2-59	Table 2.6-12 Summary of Youth Workshop Survey Responses "What Would You Still Like to Know About the Project? • 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" 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.	As noted in Draft EIS Section 2.6.3.1.3 (Summary of Youth Workshop), information obtained through the youth workshop was considered as part of the KP interview program and incorporated into the Draft EIS, where applicable, including Draft EIS Section 19 (Community Well-Being). Also, as noted in Draft EIS Section 2.7.1.3 (Public Engagement), future youth workshops would be held should there be interest.
496.	MN-S (October 19, 2022)	2.6.3.1.8, 2-61	"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." 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.	NexGen notes that the newsletter referenced by the reviewer is the first in a series of newsletters issued or to be issued by NexGen, with each newsletter containing different topics of interest based on key aspects of Project development and feedback from community members. It is not intended to provide a list of all Project aspects within each newsletter as this would result in a lengthy document that would not meet the goal of providing community members succinct Project updates in a palatable format. NexGen also notes that the 'protection of people and the environment' component of the newsletter referenced by the reviewer contains information on certain mitigation measures. The newsletter may be found in Draft EIS Appendix 2F (Public Engagement Materials).
497.	MN-S (October 19, 2022)	2.6.3.1.8, 2-61	"As the La Loche office has regular business hours, it also allows community members to engage at a time of their convenience." 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 elsewhere in this chapter that it supports engagement with a diversity of people.	NexGen notes that, as presented in Draft EIS Section 2.6.3.1 (Summary of Project Engagement Activities), the La Loche office represents one in a series of public engagement methods being employed by NexGen. NexGen also notes that many staff members, including the NexGen La Loche Office staff, often meet with members of Indigenous Groups and the public outside of business hours.
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.	NexGen notes that Draft EIS Section 2.7.1.1 (Indigenous Engagement) outlines the types of future engagement activities proposed to be conducted with Indigenous Groups. As the approach to activities are either well described elsewhere within Draft EIS Section 2 (Indigenous, Regulatory, and Public Engagement) or would collaboratively be determined through discussions with Indigenous Groups, and the topics of engagement would be based on future Project development status and items of interest to Indigenous Groups, it is not practical to include the information referenced by the reviewer within the Draft EIS.
499.	MN-S (October 19, 2022)	2.7.1.1, 2-64	"Items for discussion will be based on activities in progress, as well as any specific items of discussion requested by Indigenous Groups." 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.	NexGen notes that the reviewer's assertion that NexGen has declined the MN-S' request to discuss baseline findings, Project effects, and mitigation measures prior to Draft EIS submission is factually incorrect. Offers to discuss these items were made to the MN-S; however, the MN-S was not able to meet with NexGen. Over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline-specific assessment approaches through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission).

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500.	MN-S (October 19, 2022)	2.7.1.1, p. 2-64	"The Benefit Agreements include commitments to establish processes for regular communication and information exchange between NexGen and each Indigenous Group." 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. 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. Request: Replacement of the generalized Benefit Agreement content in Section 2.7.1.1 with detailed, Nation-by-Nation information on engagement approaches	NexGen notes that the excerpt provided by the reviewer omits the subsequent reference within Draft EIS Section 2.7.1.1 (Indigenous Engagement) that references that communication methods would be collaboratively determined between NexGen and the Indigenous Groups. NexGen also notes that since submission of this comment, a Benefit Agreement has been signed between NexGen and the MN-S. No changes to the Draft EIS are required.
501.	MN-S (October 19, 2022)	2.7.1.3, p. 2-65	"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." 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.	NexGen notes that Draft EIS Section 2.7.1.1 (Indigenous Engagement) outlines the types of future engagement activities proposed to be conducted with Indigenous Groups. As the approach to activities are either well described elsewhere within Draft EIS Section 2 (Indigenous, Regulatory, and Public Engagement) or would collaboratively be determined through discussions with Indigenous Groups and/or community members, and the topics of engagement would be based on future Project development status and items of interest to Indigenous Groups, it is not practical to include the information referenced by the reviewer within the Draft EIS.
502.	MN-S (October 19, 2022)	2.7.1.3, p. 2-65 Global comment on text under this heading	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.	NexGen maintains that the reviewer's representation of public engagement is not reflective of NexGen's approach. NexGen notes that Draft EIS Section 2.7.1.3 (Public Engagement) is largely focused on engagement with the public at large; therefore, methods that promote the provision of information represents key components of the engagement approach as it is not always practical to collaboratively engage with a large percentage of the public. NexGen also notes that more collaborative measures such as workshops and community information sessions are also included within Draft Section 2.7.1.3.
503.	MN-S (October 19, 2022)	2A, p. 14	Table 2A-2 Métis Nation – Saskatchewan "Introductory meeting for the Joint Working Group including … Indigenous Knowledge in the EA" 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 this information." According to the study agreement, the Joint Working Group was the intended vehicle through which conversations on OCAP® could be held. By unilaterally defining Indigenous Knowledge in the EIS, NexGen has sidestepped OCAP® principles and is not operating in the spirit of the study agreement.	NexGen notes that the definition of Indigenous Knowledge as provided by the reviewer is not the full definition described within the Draft EIS. This text is noted as a component of Indigenous Knowledge referenced in a footnote in Draft EIS Section 2.5.5 (Incorporation of Indigenous and Local Knowledge), with the subsequent text referring the reviewer to a more detailed definition of Indigenous Knowledge in Draft EIS Section 3.4.1 (Defining Indigenous Knowledge). NexGen also notes that feedback from local priority area Indigenous Groups specified that information provided from an Indigenous person does not necessarily represent Indigenous Knowledge; Indigenous Knowledge must be sanctioned by Elders or Indigenous Groups. For the purposes of the EA, unsanctioned information from a local community member was considered to be Local Knowledge (Draft EIS Section 3.4.2 [Defining Local Knowledge]). NexGen also notes that Appendix A of the Study Agreement signed between NexGen and the MN-S explicitly describes the protocols regarding ownership, control, access, and possession of Indigenous Knowledge, which have all been precisely followed during the EA process. The assertion that NexGen overstepped these protocols is incorrect. No changes to the Draft EIS are required.
504.	MN-S (October 19, 2022)	2A, p. 23 Table 2A-2 Métis Nation – Saskatchewan	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." 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.	While NexGen confirms that the quote provided by the reviewer is accurate, the assertion that NexGen did not review the information in a timely manner is incorrect. NexGen provided a response to the MN-S on 4 June 2021 that included a summary of engagement completed to date and a proposed path forward for discussing the items raised by the MN-S in May 2021. From June 2021 through November 2021, NexGen attempted to meet with the MN-S through the Joint Working Group (JWG) to discuss MN-S items of interest; however, the MN-S were not available to discuss the majority of items raised by the MN-S in May 2021. The 10 November 2021 quote referenced by the reviewer represented a follow-up item for NexGen to verify the status of presentation materials for a potential JWG meeting in early 2022.

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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
505.	MN-S (October 19, 2022)	2A, p. 23 - Table 2A-2 Métis Nation – Saskatchewan	13 December 2021 "NexGen advised … there was a large amount of funding remaining …." 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. 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.	NexGen confirms that, in addition to the Indigenous Knowledge and Traditional Land Use Study and Traditional Food Study funding referenced by the reviewer, technical support funding was still available. No changes to the engagement record are required.
506.	MN-S (October 19, 2022)	2A, p. 23 to 24 - Table 2A-2 Métis Nation – Saskatchewan	Engagements 17 December 2021 through 15 February 2022 Through these various emails, letters, and video conferences, NexGen documents its desire to engage on Project effects (17 December 2021) despite 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. 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.	NexGen confirms that technical funding was still available through the Study Agreement. NexGen also notes that the engagement records documented by the reviewer were to provide an engagement update letter, advise that EA results were ready for discussion, and discuss additional budget requirements. As NexGen's engagement approach is to provide information to Indigenous Groups as it is available and the request to further discuss budget was a topic of specific interest to the MN-S, the engagement conducted was appropriate.
507.	MN-S (October 19, 2022)	2B, all Global comment on structure and content of table.	Table 2B-2: Summary of Issues Identified by Métis Nation – Saskatchewan 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". 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. 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.	NexGen notes that the responses in Table 2B-2 of Draft EIS Appendix 2B (Summary of Issues Identified by Indigenous Groups) meet regulatory requirements. Response context is provided to the extent practical; where items were assessed in multiple locations within the EIS, it is impractical to include this detailed information within the response tables. However, to support the responses provided within the Indigenous issues tables, NexGen will update Final EIS Appendix 2B to provide key mitigations and accommodations to be implemented by the Project to address the issues and concerns raised.
508.	MN-S (October 19, 2022)	2E, all Global comment on community information sessions	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.	NexGen notes that, as noted in Draft EIS Appendix 2A (Indigenous Group Engagement Activities), several other methods of engagement to discuss Project effects and mitigation measures were offered to the MN-S prior to Draft EIS submission, and for times when the MN-S was unable to meet with NexGen, information was provided to ensure the MN-S had the current Project information.
509.	MN-S (October 19, 2022)	3.1.1, p. 3-4 Inclusion of Indigenous and Local Knowledge in the Environmental Assessment General Context	References to IAAC 2020a and BC EAO 2020. The *Impact Assessment Act* (2019) and revitalized *BC Environmental Assessment Act* (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. 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.	NexGen notes that the Project is subject to federal approval under the *Canadian Environmental Assessment Act, 2012* and provincial approval under *The Environmental assessment Act* (Saskatchewan). **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. *The Environmental Assessment Act*. SS 1979-80, c E-10.1. Last amended 2018. Available at https://www.canlii.org/en/sk/laws/stat/ss-1979-80-c-e-10.1/latest/ss-1979-80-c-e-10.1.html.

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510.	MN-S (October 19, 2022)	3.4.1, p. 3-16 Defining Indigenous and Local Knowledge	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	NexGen notes that the Project is subject to federal approval under the *Canadian Environmental Assessment Act, 2012* and provincial approval under *The Environmental assessment Act* (Saskatchewan). **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. *The Environmental Assessment Act*. SS 1979-80, c E-10.1. Last amended 2018. Available at https://www.canlii.org/en/sk/laws/stat/ss-1979-80-c-e-10.1/latest/ss-1979-80-c-e-10.1.html.
511.	MN-S (October 19, 2022)	3.4.1, p. 3-16 Defining Indigenous Knowledge	"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." 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.	NexGen notes that the definition of Indigenous Knowledge as provided by the reviewer is not the full definition described within the Draft EIS. This text is noted as a component of Indigenous Knowledge referenced in Draft EIS Section 3.4.1 (Defining Indigenous Knowledge), with the subsequent text referring the reviewer to a more detailed definition of Indigenous Knowledge. In addition, NexGen notes that feedback from local priority area Indigenous Groups specified that information provided from an Indigenous person does not necessarily represent Indigenous Knowledge; Indigenous Knowledge must be sanctioned by Elders or Indigenous Groups. For the purposes of the EA, unsanctioned information from a local community member was considered to be Local Knowledge (Draft EIS Section 3.4.2 [Defining Local Knowledge]). NexGen also notes that, in addition to Indigenous Knowledge, Local Knowledge was included in the EIS. As an example, while discussions regarding employment opportunities may not represent Indigenous Knowledge, the feedback provided is important as it can contribute to maximizing Project benefits and minimizing Project adverse effects. No changes to the Draft EIS are required.
512.	MN-S (October 19, 2022)	3.4.1, p. 3-18 Defining Indigenous Knowledge	"In summary, Indigenous Knowledge can generally be understood as the 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. This definition is inconsistent with the definition of Indigenous Knowledge elsewhere in the EIS.	NexGen notes that a consistent definition of Indigenous Knowledge was used within the EIS. Comments received by the reviewer on this topic appear to interpret partial definitive components of the Indigenous Knowledge definition as the full definition; however, this interpretation is incorrect. The text in Draft EIS Section 3.4.1 (Defining Indigenous Knowledge) represents the Indigenous Knowledge definition.
513.	MN-S (October 19, 2022)	3.6.1, p. 3-22	"Community-based protocols and procedures should be understood, respected, and followed." 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.	NexGen confirms that the Study Agreements signed between NexGen and the primary Indigenous Groups, including the MN-S, state the protocols for collection and inclusion of Indigenous Knowledge within the EA. These protocols were strictly followed by NexGen through the development of the EIS. NexGen further notes that no examples of Indigenous Knowledge misinterpretation have been provided to NexGen during engagement conducted following Draft EIS submission.
514.	MN-S (October 19, 2022)	3.6.1, p. 3-23	"Confirm informed consent" 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.	NexGen confirms that the Study Agreements signed between NexGen and the primary Indigenous Groups, including the MN-S, state the protocols for collection and inclusion of Indigenous Knowledge within the EA, including Indigenous Knowledge provided through the Indigenous Knowledge and Traditional Land Use (IKTLU) Studies. These protocols were strictly followed by NexGen through the development of the EIS. NexGen further notes that no examples of IKTLU Indigenous Knowledge misinterpretation have been provided to NexGen during engagement conducted following Draft EIS submission.
515.	MN-S (October 19, 2022)	3.6.2, p. 3-24 Reference to community information sessions	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.	NexGen disagrees with the reviewer's comment as the noted text in Draft EIS Section 3.6.2.1 (Gathering Indigenous and Local Knowledge) speaks to the timeline of engagement rather than Indigenous Knowledge collection mechanisms. No changes to the EIS are required.
516.	MN-S (October 19, 2022)	3.6.2.1, p. 3-24 Gathering Indigenous and Local Knowledge	"NexGen presented a preliminary list of VCs …" during joint working group meetings in 2019 and 2020. 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.	NexGen acknowledges that the MN-S requested in 2021 to have follow-up discussions regarding valued components. Following this request, NexGen offered to conduct follow-up discussions (Draft EIS Appendix 2A [Summary of Indigenous Group Activities]); however, the MN-S were unable to meet on this topic prior to submission of the Draft EIS.

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517.	MN-S (October 19, 2022)	3.6.2.1, p. 3-25 Gathering Indigenous and Local Knowledge	"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." The word "applicable," is vague, subjective, and/or potentially aligned with NexGen's definition of Indigenous Knowledge, which is problematic and unilateral.	NexGen acknowledges the reviewer's comment though notes that the Indigenous Knowledge provided in the Indigenous Knowledge and Traditional Land Use Studies, while both valuable and important, did not always overlap contextually with aspects of the Project. Therefore, the term 'applicable' was used within Draft EIS Section 3.6.2.1 (Gathering Indigenous and Local Knowledge) to accurately represent the approach used for the EA.
518.	MN-S (October 19, 2022)	3.6.2.1, p. 3-25 *Gathering Indigenous and Local Knowledge*	"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." 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. 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.	NexGen notes that Section 3.6.2.1 (Gathering Indigenous and Local Knowledge) speaks to the methods used to collect Indigenous and Local Knowledge. In certain circumstances such as the key person interviews, information may have been classified as Indigenous Knowledge, Local Knowledge, or both, depending on the interviewee and the topics discussed. Therefore, the wording in Draft EIS Section 3.6.2.1 is appropriate.
519..	MN-S (October 19, 2022)	3.7.3, p. 3-34 Summary of Influence on Project Design	Table 3.7-1 Indigenous and Local Knowledge Key Influence on Project Design "Inclusion of a dedicated space for Elders on site to be available to support Indigenous employees" 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.	NexGen acknowledges the reviewer's comment and confirms that the process for access to Elders will be determined following future discussions with the primary Indigenous Groups.
520.	MN-S (October 19, 2022)	3.8, p. 3-36 Influence on the Environmental Assessment	Table 3.8-1 Incorporation of Indigenous and Local Knowledge in the Environmental Assessment 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.	NexGen's notes that the Table 3.8-1 of Draft EIS Section 3.8 (Influence on the Environmental Assessment) provides a general summary of how Indigenous and Local Knowledge was incorporated into the EA. Detailed and specific information regarding where Indigenous Knowledge was incorporated into the EA is presented throughout the discipline assessment sections (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] though Draft EIS Section 19 [Community Well-Being]; Draft EIS Section 21 [Accidents and Malfunctions]; and Section 22 [Effects of the Environment on the Project]) through the use of citations. For example, where Indigenous Knowledge from the MN-S Indigenous Knowledge and Traditional Land Use Study was incorporated into the EA, the citation "TSD IV: MN-S" is noted. This approach allows for the MN-S to see how their Indigenous Knowledge was specifically placed within the context of the EA.
521.	MN-S (October 19, 2022)	3.9, p. 3-40 Use of Indigenous and Local Knowledge through the Project Lifespan	"Initial conversations regarding the Decommissioning and Reclamation Plan were held during Joint Working Group meetings in February 2020 and March 2021" MN-S is missing from the references here.	NexGen confirms that the MN-S reference is not missing as the MN-S was invited to participate in preliminary discussions regarding the Decommissioning and Reclamation Plan but were unable to attend. In lieu of a meeting, NexGen forwarded information to the MN-S for review and comment. Future conversation between NexGen and the MN-S on this topic are expected to be held through the Environmental Committee.
522.	MN-S (October 19, 2022)	4.1, p. 4-1	Introduction "The assessment of alternatives has been informed by … (including Indigenous Knowledge) …" 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.	NexGen notes that a consistent definition of Indigenous Knowledge was used within the EIS. Comments received by the reviewer on this topic appear to interpret partial definitive components of the Indigenous Knowledge definition as the full definition; however, this interpretation is incorrect. The text in Draft EIS Section 3.4.1 (Defining Indigenous Knowledge) represents the Indigenous Knowledge definition, which aligns with feedback heard from the MN-S. NexGen confirms that good practice related to Indigenous Knowledge was executed as protocols regarding the collection and use of Indigenous Knowledge described within the Study Agreement between NexGen and the MN-S were strictly followed.

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523.	MN-S (October 19, 2022)	4.4.2.1, p. 4-11 to 4-13 *Input from Indigenous Groups and the Public* - All content of this section	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.	NexGen acknowledges the reviewer's comment and notes the request to present information on a Nation-by-Nation basis is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. NexGen also notes that Draft EIS Section 4.4.2.1 (Input from Indigenous Groups and the Public) is intended to discuss key themes heard from Indigenous Groups and communities that were considered within the alternatives assessment; the existing text is aligned with this intent. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
524.	MN-S (October 19, 2022)	4.4.2.1, p. 4-11 to 4-13 *Input from Indigenous Groups and the Public* - All content of this section	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.	NexGen acknowledges the reviewer's comment and notes that requirements to engage Indigenous Groups during the alternatives assessment process is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. However, in alignment with requirements under the CNSC Generic Guidelines for the preparation of an EIS (CNSC 2021), the alternatives assessment considered key areas of concern raised by local Indigenous Groups (Draft EIS Section 4.4.2.1 [Input from Indigenous Groups and the Public]). NexGen also notes that information regarding alternatives assessed, including interconnectivities between alternatives (e.g., waste rock and tailings) and the rationale for choosing the selected alternatives, have been discussed with Indigenous Groups during engagement activities such as Joint Working Group meetings and community information sessions. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html. CNSC (Canadian Nuclear Safety Commission). 2021. Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to the *Canadian Environmental Assessment Act, 2012*. Available at http://cnsc.gc.ca/eng/resources/environmental-protection/ceaa-2012-generic-eis-guidelines.cfm.
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.	NexGen confirms that existing, constructed, or approved but not yet constructed NexGen exploration activities are included in the Base Case. Therefore, these activities were considered within the cumulative effects assessments.
526.	MN-S (October 19, 2022)	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.	NexGen notes that the Preliminary Decommissioning and Reclamation Plan will be developed outside of the EA process during the federal licensing and provincial permitting processes. As a precursor to this plan, NexGen will include an EA Preliminary Decommissioning and Reclamation Plan as Final EIS Appendix 5A (Preliminary Decommissioning and Reclamation Plan).
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?	NexGen confirms that there would be one room per person on site, though the room would be shared between two cross-shift workers. In other words, once a worker finished their shift, the room would then become occupied by their cross-shift worker.
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?	NexGen confirms that, similar to other remote airstrips, no permanent wildlife restriction such as fencing is planned for the airstrip. However, the airstrip would be monitored prior to aircraft arrival and take off and mitigation applied (e.g., wildlife deterrents) to protect people and wildlife, if required. Should further mitigation measures be warranted, actions will be discussed with the primary Indigenous Groups through the Environmental Committees. NexGen notes that, due to the distance between the Project site and Buffalo Narrows airport, air transport to the Project site would be safer for Project staff than vehicular transport. Therefore, the on-site airstrip is warranted (Draft EIS Section 4.5.10 [Airstrip Location]).
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).	NexGen confirms that while most of the employees would be transported to site via air during Operations, there may be some daily labour force trips required by employees. For this reason, 10 trips per day were assumed during Operations (Draft EIS TSD IX [Transportation Risk Assessment], Section 5.2, Table 5-6).

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			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	"working with local communities to develop culturally sensitive employment policies …" Does this include cultural sensitivity training during on-boarding, including MN-S participation in developing training materials? "using best efforts to provide qualified local residents …" 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?	NexGen would work with local communities to develop culturally sensitive employment policies. This process is expected to occur through the Implementation Committees as defined within the Benefit Agreements signed with the primary Indigenous Groups. Support measures would be implemented through an employee and family assistance program (EFAP) to help workers locate resources not available in their home communities. The EFAP would include services such as free assessments, short-term counselling, referrals, and follow-up to employees and their family members who are having personal or work-related problems (Draft EIS Section 19.4.3 [Secondary Pathways]). Due to safety reasons (i.e., length of shift combined with length of travel time), it is not currently anticipated that employees would have the option to travel to and from La Loche on a daily basis, To mitigate reduced opportunities to engage in resource harvesting, NexGen would work with local communities to develop culturally sensitive human resource policies. These policies would consider the seasonal round, which depicts harvesting times and seasonality for various plants and wildlife species, and would look for opportunities to accommodate important harvesting periods, to the extent possible (Draft EIS Section 19.4.3).
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?	NexGen confirms that employment monitoring, tracking, and reporting will not be tracked as part of the Integrated Management System (IMS) (Draft EIS Section 5.7 [Integrated Management System], Table 5.7-1) as the IMS is focused on implementing compliance measures, enabling continual improvement, and fostering a culture where protecting the health and safety of workers and preserving the environment are principal considerations guiding overall decisions and daily actions. However, employment monitoring, tracking, and reporting will be monitored through other means and will be discussed with the primary Indigenous Groups through the Implementation Committees as defined in the Benefit Agreements.
532.	MN-S (October 19, 2022)	6.1, p. 6-1 Regional Area of the Rook I Project	Commenting on missing items in regional map Map Omissions: Athabasca Basin is labelled but the basin to the south is only labelled as wooded area. 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 foreseeably projects, including requested changes to the list of projects included in the cumulative effects assessment	NexGen notes that the purpose of Figure 6.1-2 in Draft EIS Section 6.1 (Introduction) is to show the regional area of the Project. Figures showing other activities for cumulative effects assessments are presented appropriately within the discipline assessment sections of the Draft EIS (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-Being]).
533.	MN-S (October 19, 2022)	6.2, p. 6-8 Incorporation of Indigenous Knowledge	"General concerns (e.g., Project effects on water) …" This paragraph might be better placed in 6.3 Assessment Scoping.	NexGen notes that the text referred to by the reviewer provides an example of how Indigenous Knowledge and feedback were incorporated into the EIS rather than speaking to specific assessment scoping. Indigenous Knowledge and feedback specifically considered within the EA are presented appropriately within the discipline assessment sections of the Draft EIS (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-Being]).
534.	MN-S (October 19, 2022)	6.6, p. 6-22 Existing Conditions Characterizations	"Information used to support the description of existing conditions also included available Indigenous and Local Knowledge from engagement and IKTLU Studies, …" 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?	NexGen notes that bias towards western science or Indigenous Knowledge was not intended within the statement referenced by the reviewer. The existing conditions sections within the Draft EIS equally present applicable western science and Indigenous Knowledge perspectives. NexGen also notes that for most disciplines, a greater volume of western science information was available compared to Indigenous Knowledge.
535.	MN-S (October 19, 2022)	6.8.1, p. 6-27 Project Effects (Application Case)	Other measurement indicators, such as community cohesion … qualitative data … relied upon to complete the analysis. 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.	NexGen confirms that Indigenous Groups, including the MN-S, have had opportunities to provide Indigenous Knowledge and feedback and confirm their Indigenous Knowledge and feedback was properly collected and incorporated within the EIS. As an example, information provided within the Joint Working Groups was collected in meeting minutes, which were subsequently reviewed by Indigenous Groups to ensure accuracy. Following incorporation of Indigenous Knowledge and feedback into the EA, engagement activities such as EA results presentations were offered and/or conducted with the Indigenous Groups to verify information was properly considered. The review of the Draft EIS also provided an opportunity for Indigenous Groups to confirm use of Indigenous Knowledge and feedback within the EA.
536.	MN-S (October 19, 2022)	6.8.2, p. 6-28 Cumulative Effects from Reasonably Foreseeable Developments Case	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	NexGen notes that Draft EIS Section 6 (Environmental Assessment Approach and Methods) provides a general overview of the approach and methods used for the Project EA. The list of reasonably foreseeable developments considered for each valued component or intermediate component are presented appropriately within the discipline assessment sections of the Draft EIS (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-Being]).

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537.	MN-S (October 19, 2022)	Section 6.9.1 and 6.9.2	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. 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 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.	NexGen confirms that the information requested by the reviewer is contained within the Draft EIS. The approach, methods, and significance determination for socio-economic components are described in Draft EIS Section 15.2 (Component Methods) for human health, Draft EIS Section 16.2 (Component Methods) for Indigenous land and resource use, Draft EIS 17.2 (Component Methods) for other land and resource use, Draft EIS Section 18.2 (Component Methods) for economy, and Draft EIS Section 19.2 (Component Methods) for community well-being. For example, community well-being assessed societal and cultural; health, neighbourhood, and physical environment; educational; and economic well-being measurement indicators. Lines of evidence were then analyzed to determine significance using the assessment endpoint of maintenance of local community well-being.
538.	MN-S (October 19, 2022)	6.11, p. 6-35 Monitoring, Follow-up, and Adaptive Management	The process for determining when, how, and where to use … Integrated Management System Manual. Integrated Management System Manual has not been provided for review.	NexGen acknowledges the reviewer's comment and notes that the provision of the Integrated Management System (IMS) Manual is outside the scope of the Project Terms of Reference (Draft EIS Appendix 1A [Concordance Tables for the Terms of Reference and Generic Guidelines for Preparation of an Environmental Impact Statement], Table 1A 2). The IMS manual will be submitted to provincial and federal regulators as part of future permitting and licensing processes.
539.	MN-S (October 19, 2022)	8.2.5, p. 8-14 Assessment Cases	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. 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. It is unknown if this is considered in other EIS sections, or if data is available to evaluate this	NexGen notes that the extent of the simulated Project groundwater drawdown in bedrock resulting from the mine dewatering at approximately the upper horizon of the mine and at the end of Operations is illustrated in Figure 8.5-1 of Draft EIS Section 8.5.1.1.1 (Groundwater Elevation). Based on the 5 m contour, the simulated drawdown in the upper horizon extends approximately 2 km to the north, 4 km to the south, and 3.5 km in both the east and west directions, which does not overlap with the Fission Patterson Lake South Project area. Overall, Patterson Lake represents a strong boundary condition for the groundwater flow system, which minimizes changes in groundwater elevation and flow directions, especially near surface in the sandstone and the overburden units below Patterson Lake. Although the Project groundwater drawdown (as defined by the 5 m contour in Figure 8.5-1 of Draft EIS Section 8.5.1.1.1) in the upper horizon does not overlap with Fission Patterson Lake South Project area, the total groundwater flow to Patterson Lake may be affected by concurrent development of the two projects. However, cumulative effects are not expected as any reduction in baseflow due to the Project would be mitigated by the collection, treatment, and discharge of Project groundwater inflows to Patterson Lake. NexGen confirms that, following Closure, groundwater quality would be affected by seepage from Project facilities (e.g., waste rock storage areas, underground mine development) towards Patterson Lake; however, the seepage pathways for the Project and Fission Patterson Lake South Project would not overlap. Mine infrastructure for the Project would be on or below the eastern side of Patterson Lake, with predicted seepage towards the eastern side of Patterson Lake. The Fission Patterson Lake South Project is primarily on or below the western side of Patterson Lake, with seepage from mine infrastructure towards the western side of Patterson Lake. Therefore, groundwater affected by the two projects is not expected to interact in the groundwater environment.
540.	MN-S (October 19, 2022)	*Groundwater Elevations* 8.2.6.3, p. 8-17 *Bedrock* 8.3.3.1, p. 8-26	It is unclear which unit bedrock groundwater elevations were measured in, and if the different hydrostratigraphic units were considered together or separately. 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. 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.	NexGen confirms that bedrock refers to any non-overburden hydrostratigraphic unit whereas basement refers to the crystalline basement rock that is described in Section 5.1.3.1 of Draft EIS Annex III (Hydrogeology Baseline Report). Hydraulic heads (water levels) were measured in each of the bedrock units (i.e., Athabasca sandstone bedrock, Cretaceous bedrock, Devonian bedrock, crystalline basement bedrock, paleo-weathered crystalline basement bedrock, fault zones, and shear zones) and were evaluated by unit and collectively when evaluating groundwater conditions. Figure 21 and Figure 22 of Draft EIS Annex III present the monitoring points and units the hydraulic heads were measured in at mid-mine level and deep-mine level, respectively. Figure 19 of Draft EIS Annex III presents a conceptual cross section across the study area showing the location of the monitoring points in the different bedrock units. This representative cross-section shows the relative elevation differences in hydraulic head between the different bedrock hydrostratigraphic units.
541.	MN-S (October 19, 2022)	8.3.4.1, p. 8-41 *Bedrock*	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. 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.	NexGen notes that although the sandstone is identified as the main bedrock aquifer, the sandstone, fault zones and shear zones each significantly affect groundwater flow in bedrock as each of these units is interpreted to have higher hydraulic conductivity (permeability) than the crystalline basement rock. As described in Draft EIS Section 8.5.1.1.2 (Groundwater Flow Pathways and Rates), groundwater flow pathways from the underground tailings management facility and production stope backfill areas for the long-term conditions following Closure are predicted to be primarily through the fault and shear zones, then laterally through the sandstone to Patterson Lake. Overall, hydraulic conductivity measurements in the fault and shear zones tend to be similar or lower than measurements in the sandstone, as shown on Figure 23 of Draft EIS Annex III (Hydrogeology Baseline Report). The fault and shear zones are not interpreted to extend into the sandstone. Overall, given the similar hydraulic conductivities, extension of the fault and shear zones into the sandstone would not be expected to enhance groundwater flow along these structures. NexGen notes that although the sandstone unit has fewer hydraulic conductivity tests than other units, a reasonable amount of testing has been completed. Predicted hydraulic heads in the sandstone unit were sensitive to the hydraulic

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				conductivity assigned to this unit and resulted in the assigned hydraulic conductivity in the groundwater model being near the upper end of the field and laboratory measurements.
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)	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. 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.	The underground tailings management facility (UGTMF) groundwater seepage pathway from the UGTMF to Patterson Lake was considered and then excluded as a potential pathway during Operations since water interacting with the UGTMF would be collected as part of underground dewatering activities. Dewatering the underground would locally reduce the hydraulic head (groundwater level), inducing groundwater to flow towards the underground rather than away (e.g., towards Patterson Lake). At Closure, when hydraulic heads recover, groundwater would once again flow away from the UGTMF towards Patterson Lake. Therefore, the pathway of seepage from the UGTMF to Patterson Lake was only assessed for the time period following Closure.
543.	MN-S (October 19, 2022)	8.5.1.1.2, p. 8-58 Groundwater Flow Patterns and Rates	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. 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 8.3-2[1] and 8.3-3[2], interpret glacial drift sediments to be underlying Patterson Lake. 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.	NexGen confirms that the underground is hydraulically connected to Patterson Lake through various hydrostratigraphic units. The primary connection is through the fault zones, shear zones, sandstone, and near-surface overburden deposits between Patterson Lake and the sandstone (i.e., glacial drift and lake sediments). This pathway is illustrated in Figure 8.5-3 of Draft EIS Section 8.5.1.1.2 (Groundwater Flow Patterns and Rates). Groundwater originating from the underground following Closure is predicted to migrate vertically upward primarily through the fault and shear zones, then laterally through the sandstone, before discharging within Patterson Lake. The flow path between Patterson Lake and the underground during Operations is the reverse, as dewatering of the underground would alter the existing groundwater levels and cause a reduction in hydraulic head from baseline conditions (i.e., a drawdown in hydraulic head). This predicted drawdown would result in the redirection of groundwater that would have flowed to Patterson Lake under baseline conditions to instead flow to the underground. NexGen notes that water quality in Patterson Lake would not be expected to be similar to the water quality found in the basement rock as groundwater from the deep basement rock would not be contributing a significant quantity of flow to the Patterson Lake baseflow under existing conditions; most of the groundwater contribution to Patterson Lake occurring under existing conditions would be sourced from shallow groundwater recharged from precipitation.
544.	MN-S (October 19, 2022)	8.5.1.2, p. 8-63 Solute Mass Loading Rates to Patterson Lake	Table 8.5-1 Simulated Peak Solute Mass Loading Rates 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. 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. It is unknown if this is discussed further in other EIS sections.	The timeframe for predicted solute mass loading rates to Patterson Lake from the groundwater pathway is presented in Figure 8.5-5 of Draft EIS Section 8.5.1.2 (Groundwater Quality) for four key parameters (i.e., arsenic, copper, uranium, and radium-226), which ranges from hundreds to thousands of years. The predicted mass loadings over time for each simulated parameter were considered in the surface water quality modelling in assessing effects to Patterson Lake water quality. The surface water quality modelling extended 357 years after Closure and modelled two time periods in the far future (Draft EIS Section 10.5.1 [Residual Effects Analysis]). The first modelled time period was 157 years in duration and included the natural hydrological and hydrogeological processes from the site to Patterson Lake North Arm – West Basin following Closure such as seepage from the underground workings and surface waste rock (as modelled by the solute transport model) as well as surface runoff from the covered and reclaimed areas of the Project. The second modelled time period for the far future extended for 200 years past the first modelled time period and included natural hydrological and hydrogeological processes that account for maximum mass constituent of potential concern loadings associated with solute transport to Patterson Lake North Arm – West Basin over the entire temporal extent of the model (i.e., 357 years). The modelling of the migration of groundwater affected by the underground tailings management facility (UGTMF) demonstrated that the time for this groundwater to reach the surface water occurs over a very large temporal scale (i.e., hundreds of thousands of years), and that the maximum constituent of potential concern loadings generally occurred towards the end of the solute transport modelling period (i.e., up to 400,000 years) (Draft EIS Section 10.2.8.1.3 [Regional Surface Water Quality Model]). However, computational limits precluded the use of a temporal scale consistent with the solute transport model. Therefore, to evaluate the potential for effects on surface water quality, the maximum loadings (i.e., those reached towards the end of the groundwater solute transport model) were applied to the period of 157 to 357 years past Closure (i.e., the far future was effectively fast-tracked to the maximum constituent loading time period). This approach allowed for a much shorter modelling timeframe to project the maximum potential changes to surface water quality in Patterson Lake in the far future and conservatively assumes that the underground groundwater loadings that occur hundreds of thousands of years in the future, including loadings from the UGTMF, overlap with loadings from the waste rock storage areas.
545.	MN-S (October 19, 2022)	8.5.1.2.3, p. 8-65 Climate and Natural Disturbance Factors	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.	NexGen notes that a quantitative climate change assessment is presented in Draft EIS Appendix 22A (Climate Change Dataset Summary Report), with the estimated predictions being incorporated into the hydrogeology assessment. Monitoring data would be used to track climate trends through the Project lifespan, and adaptive management would be used to refine closure plans, as required. Detailed scoping and development of environmental monitoring program

[1] EIS, Section 8, p. 8-29.
[2] EIS, Section 8, p. 8-30.

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			Monitoring programs do not appear to consider climate change impacts.	details developed for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups.
546.	MN-S (October 19, 2022)	8.5.2.1, p. 8-66 *Groundwater Quantity*	Residual effects were predicted for groundwater flow pathways that were certain and permanent, but the specific effects are unclear. 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. 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. Again, since effects were not explicitly stated, it is unclear if these statements can be verified.	NexGen confirms that the changes to environment as a result of changes to the hydrogeological environment are provided within the Draft EIS. As shown in Figure 8.1-3 of Draft EIS Section 8.1 (Introduction), results of the hydrogeology assessment were considered in the assessments of fish and fish habitat (Draft EIS Section 11), vegetation (Draft EIS Section 13), wildlife and wildlife habitat (Draft EIS Section 14), human health (Draft EIS Section 15), Indigenous land and resource use (Draft EIS Section 16), and other land and resource use (Draft EIS Section 17) VCs as well as hydrology (Draft EIS Section 9), surface water quality and sediment quality (Draft EIS Section 10), and terrain and soils (Draft EIS Section 12) intermediate components. NexGen further confirms that changes to the hydrogeological environment are not predicted to result in any significant residual adverse effects to any VCs.
547.	MN-S (October 19, 2022)	8.5.2.1, p. 8-66	Key findings state that water from the UGTMF and stope backfill sources flow upward through faults and shear zones in the basement and then horizontally through the Athabasca sandstone before discharging into Patterson Lake. It is unclear, however, if Patterson Lake is connected to the sandstone. Cross sections presented in Figures 8.3-2 and 8.3-3 show Patterson Lake underlain by glacial drift sediments.	NexGen confirms that Patterson Lake is hydraulically connected to the sandstone. Under portions of Patterson Lake, the sandstone unit was interpreted to locally underly Patterson Lake, separated only lake sediments with minimal glacial drift sediments. In other portions of the lake, the sandstone is hydraulically connected to the lake through the glacial drift and lake sediments.
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.	NexGen acknowledges the reviewer's comment and confirms that additional monitoring since 2020 has improved the knowledge and approach to rating curve development at the watercourse hydrometric stations. Through the ongoing monitoring in 2021 and 2022, the rating curves used in the Draft EIS have been updated. The updated rating curves change the daily observed discharge hydrographs used for model calibration and evaluation of calibration performance though do not result in a material change in performance of the Regional Hydrological Model. NexGen also notes that conditions in summer 2020 represented some of the wettest conditions that have been observed since monitoring began in 2018. NexGen further confirms that monitoring will continue to target measurement of peak flow conditions to improve characterization of the upper end of the rating curve during flood periods.
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?	NexGen confirms that water surface elevation values were converted to stage values by subtracting a consistent offset (i.e., stage datum) at each hydrometric station; the stage datum was generally a value slightly below the minimum bed elevation at the watercourse so that stage values were always positive and representative of the maximum water depth across the watercourse. Stage datum was related to discharge using an empirical equation referred to as the open water rating curve, developed based on sets of manual stage and discharge measurements at each station. As described in Section 4.5.2.1 of Draft EIS Annex IV.2 (Hydrometric Monitoring Characterization Report), rating curves were developed in Aquarius software following guidance found in WSC (2016). Stage shifts were applied at several stations to correct the base rating curve to the value of stage-discharge points that were at least 0.003 m above (or less frequently, below) the curve. Multiple stations experienced seasonal backwater due to aquatic vegetation growth in the channel in the summer months or to ice in the channel or downstream, and a few stations were occasionally backwatered by downstream waterbodies, particularly when lake water levels increased. Negative shift values indicate backwater conditions when the stage is higher for a given discharge. Stage shifts were applied for most field visits, though not for the stage-discharge points that defined the base rating curve, which had no shift applied. Stage-shifts were also occasionally applied between field visits at transitions such as before and after spring thaw or when backwater conditions were increasing (e.g., prior to documentation of aquatic vegetation growth or beaver dams downstream of a station, as water levels rose in downstream waterbodies). Ice conditions at the hydrometric stations are variable throughout the winter season, with most stations being ice covered or ice affected for at least part of the winter season. Estimations of discharge using measured rating curves were adjusted to correct for the influence of ice. The influence of ice on lake outflows was also integrated in the Regional Hydrology Model. **<u>References</u>**

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				WSC (Water Survey of Canada). 2016. Hydrometric Manual – Data Computations: Stage-discharge Model Development and Maintenance. qSOP-NA049-01-2016. Water Survey of Canada, Environment Canada. 40p.
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?	NexGen confirms that hydrological monitoring is ongoing and is planned to continue throughout the Project lifespan. Specific monitoring parameters will be developed during licensing and permitting and regularly updated, as required. Since 2020, additional monitoring has improved the knowledge and approach to rating curve development at the watercourse hydrometric stations. Through the ongoing monitoring in 2021 and 2022, the rating curves used in the Draft EIS have been updated. NexGen notes that the additional monitoring and related adjustments to the observed hydrographs are not of a magnitude that would impact model calibration, hydrological model simulation results for baseline conditions, or the hydrological effects assessment, nor would the adjustments propagate to subsequent models or assessments. The monitoring strategy applied in recent years has included a combination of remote sensing data, automated instrumentation, and field visits to inform rating curve shifts required to manage variable backwater effects. Remote sensing information has been used to provide insight into seasonal changes to ice conditions in the reaches of the Clearwater River. Automated instrumentation, including hydrometric stations equipped with satellite communications, have provided real time data on water temperature and water level. Periodic field visits have provided additional paired measurements of stage and discharge at critical times of the year. Field visits have included the following: ▪ **Winter Hydrometric (February):** Mid-winter hydrometric monitoring to inform over-winter rating curve shifts for stations that are safely accessible in winter, with a focus on the outflow of Patterson Lake. This visit targets collecting paired measurements of stage and discharge in mid-winter. ▪ **Late Winter Hydrometric Trip (mid-March):** Late winter hydrometric monitoring to inform over-winter rating curve shifts for stations that are safely accessible in winter, with a focus on the outflow of Patterson Lake. This visit targets collecting paired measurements of stage and discharge in late winter as ice conditions transition on the Clearwater River below Patterson Lake. ▪ **Open Water Hydrometric Trip #1:** The purpose of this trip is for post-winter maintenance inspection, installation of seasonal instrumentation, and observation of spring freshet conditions. This trip is completed in the second week of June to target all hydrometric stations, activate seasonal hydrometric stations, complete post-winter maintenance inspections, and collect measurements of the receding spring freshet as soon as ice-free conditions are present on Broach Lake, Patterson Lake, Beet Lake, and Naomi Lake. ▪ **Open Water Hydrometric Trip #2:** The purpose of this trip is for maintenance intervention acting on the findings of the spring maintenance inspection and observation of midsummer conditions when vegetation is fully developed. This trip is completed in the first week of July to target all hydrometric stations during summer conditions. ▪ **Open Water Hydrometric Trip #3:** The purpose of this trip is for seasonal maintenance and observation of fall conditions when vegetation has senesced. This trip is completed in the final week of September to target all hydrometric stations during fall conditions and to remove seasonal stations.
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 reasonable proxy to represent long term hydrological conditions for the Project?	NexGen confirms that hydrometric station selection is documented in Section 4.3.5 of Draft EIS Annex IV.1 (Regional Meteorological and Hydrological Characterization Report). Three regional streamflow stations near the anticipated area of the Project were evaluated for use as possible reference stations. The Douglas River hydrometric data provides the longest record within a similar geographical region to the anticipated area of the Project and has a smaller watershed at the gauge compared with the Clearwater River at the outlet of Lloyd Lake. Therefore, the Douglas River station was determined to represent a reasonable hydrological proxy for the Project.
552.	MN-S (October 19, 2022)	10.8, 10-127 Key Findings	"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 …" This section indicates that the copper and cobalt levels could be resolved through mitigation, but it is not clear what that mitigation might be.	NexGen confirms that water quality constituent of potential concern (COPC) concentrations in the far-future projection indicate that cobalt and copper may exceed the thresholds for water quality in the receiving environment downstream of the Project for both the Application Case and the Reasonably Foreseeable Development Case. The primary sources of these COPCs are seepages from the Project underground tailings management facility (UGTMF) and waste rock storage areas (WRSAs), particularly the potentially acid generating (PAG) WRSA. Seepages from both the UGTMF and WRSAs would migrate to Patterson Lake via a groundwater pathway. NexGen further confirms that mitigation measures are proposed to reduce potential effects from UGTMF and WRSA seepages. With respect to the UGTMF, a cement binder would be added to tailings (i.e., cemented paste tailings) prior to deposition in the UGTMF chambers to both reduce COPC migration and increase tailings stability. With respect to the WRSAs, engineered source control layering would be implemented for the PAG WRSA and engineered cover systems would be placed on both the PAG and non-potentially acid generating WRSAs; these mitigation measures would limit potential COPC seepage to receiving waters. Each of these mitigation measures are discussed in Draft EIS Section 8.4 (Project Interactions and Mitigations). NexGen further notes that the PAG WRSA would also be lined with a high-density

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				polyethylene liner (Draft EIS Section 5.4.4.3 [Waste Rock Storage Areas]). However, to facilitate a conservative assessment in the EA, this liner was assumed to fail completely and immediately after Closure. In addition to the mitigation measures noted above, NexGen is also advancing development of an adaptive management plan (AMP) specific to the seepage of cobalt and copper from the UGTMF and WRSAs. The purpose of this AMP is to reduce uncertainty in future predictions and then adapt the level of mitigation measures in response to experimental and operational datasets (Draft EIS Section 23.5.3 [Adaptive Management]). To that end, the AMP will identify additional mitigation measures that could be applied in later management cycles if deemed necessary through comparison of monitoring results to projected trajectories.
553.	MN-S (October 19, 2022)	11.2.2.1, p. 11-13 to 11-15, 11-17	Table 11-2.1: Species Considered for Selection as Valued Components 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. 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). 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. 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.	NexGen maintains that the selection of fish and fish habitat valued components (VCs) for the EA are appropriate and have produced a fulsome assessment of potential Project effects. The VCs selected for assessment are representative of burbot from physiological, habitat, and feeding habit perspectives. However, should the MN-S express interest through the Environmental Committee, discussions could be held regarding future monitoring activities for burbot.
554.	MN-S (October 19, 2022)	11.3.4, p. 11-60 Fish Communities	Table 11.3-2 Summary of Fish Species Captured in the Local and Regional Study Areas 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.	NexGen acknowledges the reviewer's comment.
555.	MN-S (October 19, 2022)	11.5.2.2, p. 11-125 *Summary of Ecological Risk Assessment*	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.	NexGen acknowledges the reviewer's comment and confirms that, as presented in Draft EIS Section 11.5.4.2 (Overall Significance), although changes to fish and fish habitat valued component (VC) habitat availability and survival and reproduction are possible, the predicted effects would be within the resilience and adaptability limits of the VCs. Therefore, the Project is not predicted in significant adverse effects to fish and fish habitat.
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.	NexGen acknowledges the reviewer's comment and confirms that, as presented in Draft EIS Section 11.5.4.2 (Overall Significance), although changes to fish and fish habitat valued component (VC) habitat availability and survival and reproduction are possible, the predicted effects would be within the resilience and adaptability limits of the VCs. Therefore, the Project is not predicted in significant adverse effects to fish and fish habitat.
557.	MN-S (October 19, 2022)	11.5.2.4.3, p. 11-130 to 11-131 Effects on Survival and Reproduction	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. Burbot, on the other hand, are more sedentary, moving smaller distances and may spend more time in an area with copper in the sediments. Lake whitefish (*Coregonus clupeaformis*) is an inadequate and inappropriate representation of burbot (*Lota lota*) as a Valued Component (VC) through which to assess the effects of the Project on fish and fish habitat	NexGen notes that the selection of ecological receptors used in the ecological risk assessment is described in Section 6.1.1.1 of Draft EIS TSD XXI (Environmental Risk Assessment). Northern pike were selected to be representative of pelagic predator fish and lake whitefish were selected to be representative of benthopelagic fish. These species would be representative of potential effects to burbot as burbot are a benthic-dwelling fish that are primarily piscivorous as adults.

[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 (lota lota), Lower Slave River, June to December 1994*. (Report number 118). Northern River Basins Study Project. 0-662-24656-X.pdf (barbau.ca), p. 33.

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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 for predator fish[4] and are considered unlikely for forage fish[5]. 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	NexGen notes that the ecological risk assessment showed that effects to benthic invertebrates, zooplankton, and forage fish in the far future due to increased copper concentrations in Patterson Lake could not be ruled out (Draft EIS Section 11.5.2.2 [Summary of Ecological Risk Assessment Results]). Therefore, to further assess potential effects due to increased Patterson Lake copper concentrations in the far future, an aquatic health assessment was completed that evaluated the potential magnitude of effects on sensitive aquatic species (Draft EIS Appendix 11A [Aquatic Health Assessment of the Potential for Adverse Effects of Predicted Far-Future Copper Concentrations in Patterson Lake]). The results of the aquatic health assessment showed that any potential health effects on aquatic biota, which would include fish such as burbot, would be minimal and would be within the range of variability observed in unexposed populations (Draft EIS Section 11.5.2.3 [Summary of Aquatic Health Risk Assessment Results]).
559.	MN-S (October 19, 2022)	11.5.4.2, p. 11-138, 11-140 Significance Determination	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). 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. 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] Including burbot would add value by doing two things: i. It would allow for another layer of contaminant baseline to be documented throughout the study area and may be valuable to the company to show that future changes are regional and not mine site specific. 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. 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).	NexGen notes that aquatic monitoring for fish and fish habitat would follow the environmental effects monitoring guidance, including the guidance regarding the selection of sentinel species. NexGen also notes that, should the MN-S express interest through the Environmental Committee, discussions could be held regarding future monitoring activities for burbot.
560.	MN-S (October 19, 2022)	11.4.1, p. 11-75, p. 11-80 No Pathways	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: 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)? 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? 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?	NexGen notes that, as described in Draft EIS Section 11.4.1 (No Pathways), prior to releasing treated effluent to Patterson Lake, mine water and contact water would be captured and stored in treatment ponds at ambient temperatures. Based on the design of the water treatment infrastructure, water storage and treatment are not expected to thermally alter the treated effluent discharge relative to ambient conditions. As the temperature increase is expected to be less than 1°C at the edge of the regulated mixing zone for both winter and open-water conditions and within the natural range of variability for Patterson Lake, it is not expected that this area would represent a thermal refuge for fish. Also, as the water temperature of the treated effluent would be similar to Patterson Lake water temperature, it is not expected that there would be any changes to water temperatures or volumes in the hypolimnion that would affect lake trout, including under climate change conditions.

[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 (lota lota), 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.

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			If effluent temperature has an area of influence that increase lake temperature locally in Patterson Lake, it may i. attract fish into spending more time closer to the effluent mixing area; and ii. decrease the area (volume) of colder, refuge habitat available for Lake Trout to spend summer months.	
561.	MN-S (October 19, 2022)	11.4.2, p. 11-114 to 11-115 Secondary Pathways	The EIS makes no mention of aquatic invasive species (AIS). 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? 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. 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. Some acknowledgment of the mine development and operation being a vector of increased risk for AIS exposure is reasonable. 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.	NexGen notes that invasive species were discussed in Pathway ID V-07 of Draft EIS Section 13.4.2 (Secondary Pathways). As noted in Draft EIS Section 13.4.2, an Environmental Protection Program would be implemented to prevent, detect, control (i.e., remove), and monitor areas with prohibited, noxious, and nuisance weed species and construction equipment would be cleaned prior to arriving on site, if required. Best management practices to help avoid the introduction on invasive species would also be implemented. As a result, there is predicted to be a negligible residual effect on vegetation VCs
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 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)." 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.	NexGen confirms that the information requested by the reviewer is contained within the Draft EIS. NexGen notes that information from provincial databases and federal assessment and recovery reports have not identified COSEWIC or *Species at Risk Act* listed plant species or critical habitat in the vegetation regional study area, and no vascular plant species at risk were detected during baseline field surveys (Draft EIS Section 13.2.2.1 (Valued Components). NexGen also notes that proposed Project mitigation measures to minimize effects to air quality (e.g., dust) would result in minor changes in the availability, distribution, and condition of upland, wetland, and riparian ecosystems and traditional use plants, primarily limited to the maximum disturbance area (Draft EIS Section 13.4.2 [Secondary Pathways]).
563.	MN-S (October 19, 2022)	13.2.3.1, p. 13-16 *Baseline Survey Boundaries*	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. 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?	NexGen confirms that the baseline surveys were completed for the entire Project maximum disturbance area, which represents an area approximately four times larger than the currently anticipated Project footprint; therefore, baseline information was available for the assessment of effects in the Project footprint (Draft EIS Section 13.2.3.1 [Baseline Survey Boundaries]). For areas in the regional study area where baseline field surveys were not conducted, potential uncertainties were addressed by utilizing an overall conservative approach for the assessment of VCs including conservative assumptions regarding air quality, hydrology, surface water quality, and exposure and toxicology models (Draft EIS Section 13.2.10 [Prediction Confidence and Uncertainty]).
564.	MN-S (October 19, 2022)	13.2.6, p. 13-24 Existing Conditions	"Supplemental vegetation inventory and rare plant surveys [were] completed in 2021 to further characterize baseline conditions for vegetation (Dolmage 2021)." 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.	NexGen confirms that additional rare plant studies were conducted in the anticipated Project footprint in 2021. No additional rare plant species were found; therefore, no updates to Draft EIS Annex VII.2 (Vegetation Baseline Report 2 (Inventory, Rare Plants, and Wetlands) are required.
565.	MN-S (October 19, 2022)	13.2.6.1, p. 13-26 *Ecological Land Classification*	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. How closely does the EIS ELC mapping correspond with the mapping products created by CanNorth and Omnia in 2021? 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)?	As stated in Draft EIS Section 13.2.6.1 (Ecological Land Classification), the Ecological Land Classification (ELC) map was constructed from 12 data sources, including Omnia's Predictive Ecosite Map (PEM), which was used as the basis for the ELC mapping in the Draft EIS regional study area (RSA). Omnia collected 1,366 ground-truth sites in the baseline RSA and used 650 sites to determine that the PEM was 80.2% accurate. NexGen confirms that ELC units in the anticipated Project footprint have been sampled and that baseline survey methods for rare vascular plants followed provincial survey standards (ENV 2014, 2017). To address changes in the proposed Project footprint, additional rare plant surveys were conducted in 2021; however, no additional rare plant species were found.

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				References ENV (Saskatchewan Ministry of Environment). 2014. Guidelines for the preparation of the terms of reference. June 2014. Accessed December 2020. Available at http://www.environment.gov.sk.ca/EATermsOfReferenceGuidelines. ENV. 2017. Species detection survey protocol: 20.0 rare vascular plant. April 2017 Update. Fish, Wildlife and Lands Branch. Regina, Saskatchewan.
566.	MN-S (October 19, 2022)	13.2.6.1, p. 13-26 *Ecological Land Classification*	What is the scale of the ELC mapping? What was the minimum, maximum, and average polygon size? What proportion of polygons were field verified?	As stated in Draft EIS Section 13.2.6.1 (Ecological Land Classification), the Ecological Land Classification (ELC) map was constructed from 12 data sources. Data sources and pixel size for raster-based data are also described in Draft EIS Section 13.2.6.1; most of the raster data were 10 m by 10 m or 30 m by 30 m. Some data sources were polygon based. The ELC mapping for the regional study area (RSA) is composed of 57,980 polygons, of which the smallest is 0.000004 m^2, the largest is 100,516,296 m^2, and the mean is 18,539 m^2. A total of 1,366 ground-truth sites were collected in the baseline RSA, of which 650 sites were used to determine that the Predictive Ecosystem Map was 80.2% accurate.
567.	MN-S (October 19, 2022)	13.2.6.1.2, p. 13-28 Wetland Ecosystem Mapping	Table 13.2-4 Wetland Ecological Land Classification Units within the Local and Regional Study Areas 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).	NexGen notes that the Canadian Wetland Classification System (National Wetlands Working Group 1997) was not incorporated in the Ecological Land Classification (ELC) mapping. As stated in Draft EIS Section 13.2.6.1 (Ecological Land Classification), the EIS used the *Field Guide to the Ecosites of Saskatchewan's Provincial Forest* (McLaughlan et al. 2010) to classify ELC units. McLaughlan et al. (2010) is a more recent publication that was written specifically for classifying ecosites within Saskatchewan's provincial forests. Waterbodies identified in the datasets were mapped with Topographic Data of Canada Series CanVec 1:50,000 spatial data (NRCAN 2019) and are shown as "waterbody" on the ELC maps. **References** McLaughlan, M.S., R.A. Wright, and R.D. Jiricka. 2010. Field Guide to the Ecosites of Saskatchewan's Provincial Forests. Accessed June 2023. Available at http://www.environment.gov.sk.ca/adx/aspx/adxGetMedia.aspx?DocID=8734900c-f0b6-4f0d-9a63-d93326f466ce&MediaID=0060dec0-d76e-4fa6-bbd1-bbb137cac1c3&Filename=June+5+2014+Version+for+Web.pdf&l=English. National Wetlands Working Group. 1997. The Canadian Wetland Classification System. Second Edition. Waterloo Ontario: Wetlands Research Centre, University of Waterloo. 68 p. NRCan (Natural Resources Canada) 2019. CanVec digital topographic data. Accessed December 2020. Available at https://open.canada.ca/data/en/dataset/8ba2aa2a-7bb9-4448-b4d7-f164409fe056.
568.	MN-S (October 19, 2022)	13.2.6.1.3, p. 13-29 Riparian Ecosystem Mapping	"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 …". 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. Please comment on how the definition of "riparian potential" used within the assessment is not underestimating riparian ecosystems within the RSA.	NexGen confirms that the delineation of riparian habitat was based on Environment Canada (2013) guidelines; a 30 m buffer was applied around natural waterbodies (e.g., ponds, lakes) and to each side of watercourse features (e.g., creeks, streams), which resulted in 60-m wide corridors. As stated in Draft EIS Section 13.2.6.1.3 (Riparian Ecosystem Mapping), the method used to delineate riparian habitat likely overestimates the riparian ecosystems for small streams and waterbodies but more appropriately estimates the larger waterbodies and watercourses in the RSA. **References** Environment Canada. 2013. How much habitat is enough? Third Edition. Environment Canada, Toronto, Ontario.
569.	MN-S (October 19, 2022)	13.2.6.1.3, p. 13-29 to 13-30 Riparian Ecosystem Mapping	"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." Were mapped wetland ELC units also buffered (i.e., waterbodies not captured at the 1:50k CanVec scale)?	NexGen confirms that mapped wetland Ecological Land Classification (ELC) units were not buffered as the ELC units for wetland and upland ecosites are defined in the datasets used to construct the ELC map. Riparian areas are defined by proximity to a watercourse or waterbody and can include upland ecosites and wetland ecosites. As stated in Draft EIS Section 13.2.6.1 (Ecological Land Classification), riparian ecosystems in the regional study area were defined as a subset of upland and wetland cover types with riparian potential that intersected buffered watercourses and waterbodies.

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570.	MN-S (October 19, 2022)	13.2.7, p. 13-37 Project Interactions and Mitigations	”Secondary pathway: The pathway could result in a 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 vegetation.” 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?	As part of the assessment for each discipline assessment within the EIS, a pathways analysis is completed to develop an understanding of how the Project may affect valued components (VCs) and intermediate components (Draft EIS Section 6.7 [Pathways Analysis]). This process is conducted to determine which Project pathways have the potential to result in greater than negligible adverse effects that require assessment. As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: “[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)”. Therefore, Project pathways categorized as “secondary pathways” would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
571.	MN-S (October 19, 2022)	13.2.9, p. 13-39 Residual Effects Classification and Determination of Significance	It is noted that magnitude criteria have not been assigned based on VC-specific thresholds. 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.	As described in Draft EIS Section 6.9.2 (Significance Determination), magnitude is a measure of the intensity or the degree of change (i.e., effect size) caused by the Project and other developments, if applicable, relative to existing conditions. Established guidelines, thresholds, or screening values were considered where available. Magnitude is presented as a quantitative or qualitative expression of effect size for valued components (VCs) and intermediate components related to the respective measurement indicators. When categorical definitions were used, magnitude was classified as negligible, low, moderate, or high and supported by a reasoned narrative. As stated in the Draft EIS Section 13.2.9 (Residual Effects Classification and Determination of Significance), VC-specific thresholds are typically not known in ecology because changes that result in significant effects to organisms/ecosystems are dependent on several factors including species, community composition, landscape type, and spatial scale. The EA used a detailed and transparent account of whether the predicted effects from the Project and other developments would cause the defined significance threshold to be exceeded for each VC by combining residual effects criteria, available scientific literature, data collected in the study areas, and logical reasoning (i.e., a weight of evidence or reasoned narrative approach). NexGen notes that the approach used in the Draft EIS is accepted by the CEA Agency (2018). **<u>References</u>** CEA Agency (Canadian Environmental Assessment Agency). 2018. Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. Interim Technical Guidance. March 2018 Version 2. Available at http://publications.gc.ca/collections/collection_2018/acee-ceaa/En106-204-2018-eng.pdf.
572.	MN-S (October 19, 2022)	13.3.1.3, p. 13-51 *Ecosystem Condition*	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. What is the confidence in the age estimates provided, given the low extent of overlap between the Omnia RSA and the EIS RSA?	As fire return cycles, nutrient regimes, and weather patterns operate on larger spatial scales than the regional study area, NexGen is confident that the age information noted in the baseline study area is representative of the RSA.
573.	MN-S (October 19, 2022)	13.3.2.2, p. 13-56 *Ecosystem Distribution*	Figure 13.3.3: Wetland Ecosystems and Rare Plant Species in the Regional Study Area, Base Case 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. 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.	NexGen notes that Ecological Land Classification (ELC) mapping used multiple data sets to identify ecosites and construct the ELC map. No areas were targeted disproportionally. Therefore, any misrepresentation of wetland areas would be small, especially at the Project footprint and local study area scales. The mentioned southwest portion of the EIS regional study area (RSA) is in the Boreal Plain Ecozone. This ecozone has deeper soils compared to the Boreal Shield Ecozone in the northeast portion of EIS RSA, which typically has more shallow soils and bedrock near the surface. Surficial geology of EIS RSA shows glacial fluvial deposits in the northeast portion of the RSA compared to morainal deposits in southwest portion of the RSA. Differences in soil depth and texture influence water holding capabilities, and thus, where wetlands occur across the landscape. NexGen also notes that the Project has been designed to avoid and minimize impacts on wetlands. As stated in Draft EIS Section 13.4 (Project Interactions and Mitigations), mitigation to avoid wetlands included realigning the site access road between the gatehouse and mine terrace during initial Project design to avoid a wetland. As discussed in Draft EIS Section 13.5.2.1 (Application Case), the combined loss of burned and unburned wetland ELC units in the RSA is 27.8. However, the assessment was conservative by defining a maximum disturbance area approximately four times larger than the Project footprint; the anticipated Project footprint is estimated to affect 0.8 ha of wetlands, which NexGen is planning to avoid completely, if possible, during the completion detailed design. Should wetlands need to be disturbed, a mitigation and offset plan describing how no net loss of wetland function would be achieved would be considered.

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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
574.	MN-S (October 19, 2022)	13.3.3.1, p. 13-60 *Ecosystem Availability*	"Overall, riparian habitats are uncommon the landscape relative to upland and wetland ecosystems …" Please comment on how different mapping scales/products within the LSA and RSA may have influenced this result.	NexGen notes that Ecological Land Classification (ELC) mapping used multiple data sets to identify ecosites and construct the ELC map. No areas were targeted disproportionally. Therefore, any misrepresentation of riparian areas in the study areas would be small, especially at the Project footprint and local study area scales.
575.	MN-S (October 19, 2022)	13.4.2, p. 13-86 to 13-97 Secondary Pathways	Secondary pathways identified as: V-03 Public access affecting vegetation V-04 Fugitive dust and constituent emissions V-05 Vegetation changes from particulates and acid emissions V-06 Loss from fibre optic line V-07 Invasive species V-08 Surface water flow changes V-09 surface water quality from runoff V-10 Treated effluent discharge 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". 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? It is noted that no potential indirect effects on vegetation VCs have been carried forward to the residual and cumulative effects assessments. In addition, negligible is not a defined term in Table 13.2-9[8] 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?	As part of the assessment for each discipline assessment within the EIS, a pathways analysis was completed to develop an understanding of how the Project may affect valued components (VCs) and intermediate components (Draft EIS Section 6.7 [Pathways Analysis]). This process was conducted to determine which Project pathways have the potential to result in greater than negligible adverse effects that require assessment. As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
576.	MN-S (October 19, 2022)	13.4.3, p. 13-98 Primary Pathways	This section addresses two primary pathways: V-01 Direct loss W-02 Terrain alteration, that are taken forward in the assessment. 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?	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
577.	MN-S (October 19, 2022)	13.5.2.1.1, p. 13-118 Ecosystem Availability	"Wetland ecosystems are less common within the LSA … relative to the RSA …". Please comment on how different mapping scales/products within the LSA and RSA may have influenced this result.	NexGen notes that Ecological Land Classification (ELC) mapping used multiple data sets to identify ecosites and construct the ELC map. No areas were targeted disproportionally. Therefore, any misrepresentation of wetland areas would be small, especially at the Project footprint and local study area scales.

[8] EIS, p. 13-39

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578.	MN-S (October 19, 2022)	13.5.5, p. 13-164 Effects on Biodiversity	This section indicates that "effects on biodiversity have been evaluated based on the assessment completed for ecosystems and traditional use plant species". "Effects on biodiversity have been assessed on the effects on ecosystems … and the effects on traditional use plant species …" 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?	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required. As noted in Draft EIS Section 13.6 (Prediction Confidence and Uncertainty), there is a moderate to high degree in the assessment results.
579.	MN-S (October 19, 2022)	13.7, p. 13-167 Monitoring, Follow-up and Adaptive Management	The section discusses monitoring, the Environmental Monitoring Plan, the Preliminary Decommissioning and Reclamation Plan, and the plan to establish Environmental Committees. 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. Please provide Environmental Monitoring details for the vegetation component. 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?	NexGen confirms that detailed scoping and development of environmental monitoring program details for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups.
580.	MN-S (October 19, 2022)	14.1.2, p. 14-6 Purpose and Approach to the Assessment	"The purpose of Section 14 is to provide a detailed and comprehensive assessment of all potential Project-specific effects and cumulative effects …" How does this approach consider the "minor" effects that are screened out before the assessment is even begun?	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
581.	MN-S (October 19, 2022)	14.2.2.2, 14-23 Measurement Indicators	Section states that one of the measurement indicators is "survival and reproduction" which relates to "change in abundance". 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)?	NexGen maintains that the baseline information follows appropriate monitoring standards on habitat quality and abundance measurements to inform the assessment and allow for follow up monitoring to confirm that the results of the effects assessment are correct or determine if additional mitigations are required.
582.	MN-S (October 19, 2022)	14.2.3, p. 14-23 Spatial Boundaries	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. 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?	NexGen confirms that the baseline surveys were completed for the entire Project maximum disturbance area, which represents an area approximately four times larger than the currently anticipated Project footprint; therefore, baseline information was available for the assessment of effects in the Project footprint (Draft EIS Section 14.2.3.1 [Baseline Survey Boundaries]). For areas in the regional study area where baseline field surveys were not conducted, potential uncertainties were addressed by utilizing an overall conservative approach to for the assessment of VCs including conservative assumptions regarding air quality, hydrology, surface water quality, and wildlife habitat models (Draft EIS Section 14.2.10 [Prediction Confidence and Uncertainty]).
583.	MN-S (October 19, 2022)	14.2.7, p. 14-43 Project Interactions and Mitigations	"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." 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?	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
584.	MN-S (October 19, 2022)	14.2.8, p. 14-44 Residual Effects Analysis	"Changes in habitat availability and animal use" This appears to link two concepts into a single effect and the linkage is not clear. Please explain.	Changes to habitat availability could occur due to direct loss in habitat (i.e., physical removal of habitat due to the Project footprint) or habitat that has not been physically altered but is avoided by wildlife due to sensory disturbance resulting from the Project (e.g., noise from Project activities).
585.	MN-S (October 19, 2022)	14.2.8, p. 14-44	"Changes in survival and reproduction"	NexGen notes that, as described in Draft EIS Section 14.2.2.2 (Measurement Indicators), the survival and reproduction measurement indicator is defined as changes to animal abundance from altering survival and/or recruitment. Survival

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		Residual Effect Analysis	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.	and reproduction are linked as they relate to animals carrying out their life processes (i.e., reproduction and growth). Changes to survival and reproduction could potentially occur from direct mortality (e.g., vehicle collisions), changes to harvest levels, changes to food availability, and chemical loading. NexGen also notes that direct measurements of survival rates and reproduction are not required to assess Project-related changes to the survival and reproduction measurement indicator as monitoring of factors such as direct mortality and chemical loading can be used to determine changes to the measurement indicator.
586.	MN-S (October 19, 2022)	14.2.9, p. 14-45 Residual Effects Classification and Determination of Significance	Table 14.2-7 Definitions Applied to Effects Criteria Classifications for the Assessment of Valued Components 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. 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.	As described in Draft EIS Section 6.9.2 (Significance Determination), magnitude is a measure of the intensity or the degree of change (i.e., effect size) caused by the Project and other developments, if applicable, relative to existing conditions. Established guidelines, thresholds, or screening values were considered where available. Magnitude is presented as a quantitative or qualitative expression of effect size for valued components (VCs) and intermediate components related to the respective measurement indicators. When categorical definitions were used, magnitude was classified as negligible, low, moderate, or high and supported by a reasoned narrative. For the assessment of wildlife VCs, the general approach for the classification of magnitude was to use a qualitative narrative or numeric quantification rather than a categorical rating. However, in certain circumstances, categorical definitions were used to support the quantitative or qualitative narrative (e.g., Draft EIS Section 14.5.1.3.1 [Classification Summary], Table 14.5-3). As stated in the Draft EIS Section 14.2.9 (Residual Effects Classification and Determination of Significance), VC-specific thresholds are typically not known in ecology because changes that result in significant effects to organisms/ecosystems are dependent on several factors including species, landscape type and current level of disturbance, and spatial scale. The EA used a detailed and transparent account of whether the predicted effects from the Project and other developments would cause the defined significance threshold to be exceeded for each VC by combining residual effects criteria, available scientific literature, data collected in the study areas, and logical reasoning (i.e., a weight of evidence or reasoned narrative approach). NexGen notes that the approach used in the Draft EIS is accepted by the CEA Agency (2018). **References** CEA Agency (Canadian Environmental Assessment Agency). 2018. Assessing Cumulative Environmental Effects under the *Canadian Environmental Assessment Act, 2012*. Interim Technical Guidance. March 2018 Version 2. Available at http://publications.gc.ca/collections/collection_2018/acee-ceaa/En106-204-2018-eng.pdf.
587.	MN-S (October 19, 2022)	14.2.9, p. 14-46 Residual Effects Classification and Determination of Significance	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. 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.	NexGen confirms that woodland caribou were assessed at the local study area, regional study area, caribou home range, and SK2 West Caribou Administration Unit spatial scales (Draft EIS Section 14.5.1.1 [Application Case]; Draft EIS Section 14.5.1.2 {Reasonably Foreseeable Development Case]). However, the spatial scale used for the determination of significance for woodland caribou was the SK2 West Caribou Administration Unit, as this allowed for a comparison of Project effects to the established critical habitat threshold (i.e., 65% undisturbed habitat or not more than 35% disturbed habitat) (ECCC 2020). Therefore, the SK2 West Caribou Administration Unit is the appropriate scale for the cumulative effects assessment and no dilution of effects occurred. **References** ECCC (Environment and Climate Change Canada). 2020. Amended Recovery Strategy for the Woodland Caribou (*Rangifer tarandus caribou*). Boreal Population, in Canada. *Species at Risk Act* Recovery Strategy Series. Environment and Climate Change Canada, Ottawa. xiii + 143 pp.
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?	NexGen notes that the existing conditions for the wildlife and wildlife habitat valued components includes information derived from baseline field surveys, Indigenous and Local Knowledge, and available literature. NexGen also notes that baseline field surveys were conducted to determine species presence and distribution rather than population densities; population densities were obtained from scientific literature, where available and applicable. Baseline field studies were also used to support habitat suitability models (Draft EIS Appendix 14B [Wildlife Habitat Models]) and the habitat associations described in Draft EIS Section 14.3 (Existing Conditions).
589.	MN-S (October 19, 2022)	14.4, p. 14-148 Project Interactions and Mitigations	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."	NexGen confirms that the Project footprint characterized within the Draft EIS is the footprint specific to the Project. However, in developing the proposed Project footprint, existing disturbance was used to the extent possible. For example, the Project access road would use the same linear disturbance as the access road for exploration activities.

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			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? No mention a pre-exploration conditions is discussed	NexGen notes that requests regarding the magnitude or state of the environment prior to any disturbance is beyond the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012* and outside the scope defined in Section 5.1.3.2 of the Project Terms of Reference (Draft EIS Appendix 1A [Concordance Tables for the Terms of Reference and Generic Guidelines for Preparation of an Environmental Impact Statement], Table 1A-2). **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
590.	MN-S (October 19, 2022)	14.4.2, p. 14-157 to 14-174 Secondary Pathways	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? W-05 Injury and mortality from clearing W-06 Invasive plants affecting wildlife habitat W-07 Increased edge habitat W-08 Increased predator access W-09 Increased public access W-10 Air emission effects via inhalation or ingestion W-11 Soil contamination from emissions W-12 Treated effluent discharge W-13 Surface water quality from runoff W-14 Water quality from WRSAs and UGTMF W-15 Surface flow changes W-16 Linear barriers W-17 Power line injury and mortality W-18 Vehicle injury and mortality W-19 Wildlife attractants W-20 Direct harm from contact water 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". 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? 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.	NexGen notes that SaskTel would likely be responsible for installing the fibre optic cable. While specific details regarding the fibre optic line construction approach would be determined at a future date, it is anticipated that directional drilling or other mitigation and avoidance measures would be used for watercourse or wetland crossings along the fibre optic line alignment. As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.

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591.	MN-S (October 19, 2022)	14.4.3, p. 14-174 Primary Pathways	Three primary pathways: W-01 Habitat loss W-02 Habitat alteration W-03 Sensory disturbance 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.	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
592.	MN-S (October 19, 2022)	14.5, 14-175 Residual Effects Analysis	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?	NexGen confirms that Project pathways to people or the environment with the potential of having a greater-than-negligible residual effect on valued components or intermediate components (i.e., classified as primary pathways) were carried forward to the residual effects analysis (Draft EIS Section 6.7.3 [Pathways Screening]), which were then considered in the residual effects classification and determination of significance.
593.	MN-S (October 19, 2022)	14.5.13, p. 14-353 Effects of Biodiversity	"Effects on biodiversity have been evaluated based on the assessment completed for the wildlife VCs, …". 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.	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required. Overall, there is a moderate to high degree of confidence in predictions related to the changes to wildlife VCs (Draft EIS Section 14.6 [Prediction Confidence and Uncertainty]).
594.	MN-S (October 19, 2022)	14.7, p. 14-356 Monitoring, Follow-Up, and Adaptive Management	The section discusses monitoring, the Caribou Mitigation and Offsetting Plan, the Preliminary Decommissioning and Reclamation Plan, and the plan to establish Environmental Committees. 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. Please provide Environmental Monitoring details for the Wildlife and Wildlife Component. 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.	NexGen confirms that detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. With respect to caribou, NexGen is in the process of developing a Caribou Mitigation and Offsetting Plan through engagement with the Saskatchewan Ministry of Environment and primary Indigenous Groups, including the MN-S, to meet provincial requirements and align with Indigenous goals. NexGen also notes that as per a condition of the provincial EA approval, NexGen is required to submit the Caribou Mitigation and Offsetting Plan to the Saskatchewan Ministry of Environment for approval prior to Construction. Also, through completion of the federal EIS technical review, NexGen anticipates that a federal commitment with respect to the Caribou Mitigation and Offsetting Plan will also be developed as part of the federal approval process, to which NexGen will be required to comply. With the implementation of the Caribou Mitigation and Offsetting Plan, which would be subject to requirements under both provincial and federal approvals for the Project, the contribution of residual Project-specific residual adverse effects to woodland caribou are predicted to be not significant.
595.	MN-S (October 19, 2022)	14.8, p. 14-357 Key Findings	"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." 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?	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC [valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required. Overall, there is a moderate to high degree of confidence in predictions related to the changes to wildlife VCs (Draft EIS Section 14.6 [Prediction Confidence and Uncertainty]).
596.	MN-S (October 19, 2022)	14A2, p. 2 Barn Swallow	Indicates that no secondary pathways were assessed for any of the listed species addressed in this section. Was this approach considered appropriate to determine cumulative effects on these listed species?	As noted in Draft EIS Section 6.7.3 (Pathways Screening), a secondary pathway is defined as follows: "[w]ith the application of mitigation, the pathway could result in a measurable but minor environmental change relative to existing conditions or guideline values, but the change is sufficiently small that it would have a negligible residual effect on a VC

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				[valued component] or intermediate component (e.g., an increase in an air quality parameter that is negligible compared to the range of existing values and is well within the air quality guideline for that parameter)". Therefore, Project pathways categorized as "secondary pathways" would not be expected to contribute to cumulative effects, and residual effects assessments for these pathways are not required.
597.	MN-S (October 19, 2022)	14A2, p. 3,4 Barn Swallow	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. How can this statement be made in this screening-level assessment when there is no mention of measurement indicators relative to resilience and adaptability?	As noted in Draft EIS Section 14.2.9 (Residual Effects Classification and Determination of Significance), ecological context (e.g., resilience, adaptability, existing conditions) was considered within the residual effects criteria (e.g., magnitude, geographic extent, duration, reversibility) in a reasoned narrative to determine significance. Changes in the measurement indicators (i.e., habitat availability, habitat distribution, and survival and reproduction) were evaluated in context of existing conditions, species status, trends, threats, and resilience and adaptability to determine the significance of Project and cumulative effects on the ability species to be self-sustaining and ecologically effective. NexGen confirms that the same assessment process was used for barn swallow, common nighthawk, and northern myotis as for valued components within Draft EIS Section 14 (Wildlife and Wildlife habitat); therefore, resilience and adaptability were considered within the assessment of cumulative effects.
598.	MN-S (October 19, 2022)	14B3.7.2, p. 30 Model Validation	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." Please explain the correlation between rusty blackbird habitat as it relates olive-sided flycatcher habitat, and its relevance in the EA?	NexGen appreciates the reviewer's comment and notes the statement in Section 14B3.7.2 of Draft EIS Appendix 14B (Wildlife Habitat Models) should read "The model provides an ecologically relevant and confident assessment of the effects of the Project and previous, existing, and other future developments on rusty blackbird habitat". This correction will be made in Section 14B3.7.2 of Final EIS Appendix 14B (Wildlife Habitat Models).
599.	MN-S (October 19, 2022)	15.2.8, p. 15-24 Risk Assessment	Figure 15.2-2: Human Health Risk Assessment Process 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.	NexGen confirms that a precautionary approach was used for screening constituents of potential concern (COPCs) and followed standard best practices for human health risk assessments (HHRAs). Examples include comparing predicted upper bound concentrations in surface water against water quality objectives and maximum predicted concentrations in air against long-term and short-term screening criteria. With respect to multi-stressor effects, the HHRA followed standard risk assessment guidance including Health Canada's Preliminary Quantitative Risk Assessment guidance (Health Canada 2021), which recommends considering multi stressor effects in the risk characterization portion of the HHRA. This guidance states that after hazard quotients (HQs) are calculated for the selected COPCs, HQs are added together for those COPCs with similar effects on the same organ. NexGen notes that for the Project HHRA, there were no COPCs that share a common mechanism of action and target organ; therefore, summing of HQs was not required. **References** Health Canada. 2021. Federal Contaminated Site Risk Assessment in Canada. Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA). Version 3.0.
600.	MN-S (October 19, 2022)	15.2.8.1, p. 15-26 *Receptor Selection and Characterization*	Table 15.2-3: Rationale for Selection of Human Health Receptor Groups It is unclear if COPC screening used observed or predicted concentrations	NexGen confirms that the screening of constituents of potential concern used predicted concentrations to determine if predicted concentrations exceeded selected Project guideline thresholds. In the future, once the Project is in operation (assuming regulatory approvals are received), observed concentrations would be used to validate predicted concentrations.
601.	MN-S (October 19, 2022)	Section 15.2.8.2, Figure 15.2-3	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. 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.	NexGen maintains that the guidelines selected for the surface water screening of constituents of potential concern (COPCs) are appropriate. A precautionary approach was used for screening COPCs that followed standard best practices for human health risk assessments (HHRAs). The HHRA followed guidance from CSA N288.6:22 *Environmental Risk Assessments for Nuclear Facilities and Uranium Mines and Mills* (CSA Group 2022). It also met the requirements for an environmental assessment outlined in Section 4.1 of REGDOC-2.9.1, *Environmental Principles, Assessments and Protection Measures* (CNSC 2020). Screening guidelines to determine Project COPCs were health based using a hierarchy of guidelines where the most restrictive of federal and provincial guidelines was used. Health-based guidelines from other jurisdictions were used when no federal or provincial guidelines were published (Draft EIS TSD XXI [Environmental Risk Assessment], Section 4.2.3.1). The guidelines used in the HHRA were in accordance with current science and regulatory requirements. No additional consideration of guidelines is required for the Final EIS. **References** CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1: Environmental Principles, Assessments and Protection Measures, Version 1.2. September 2020. ISBN 978-0-660-06255-6. Available at https://publications.gc.ca/site/eng/9.895706/publication.html.

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				CSA Group (Canadian Standards Association Group). 2022. CSA N288.6-22: Environmental Risk Assessments at Nuclear Facilities and Uranium Mines and Mills.
602.	MN-S (October 19, 2022)	15.2.8.2, p. 15-30 Aquatic Sources	Figure 15.2-4: Screening Process for Selection of Constituents of Potential Concern for the Environmental Risk Assessment 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.	NexGen confirms that the end-of-pipe concentrations of constituents of potential concern (COPCs) for Project effluent discharges are predicted to be higher than the chronic (i.e., long-term) Project thresholds, though these concentrations would be less than concentrations that may be acutely toxic (i.e., toxic in the short term) to aquatic life (Draft EIS TSD XVIII [Site-Wide Water Balance and Water Quality Modelling Report], Section 3.0). As acutely toxic concentrations of COPCs would not be released to the environment, the approach to the environmental risk assessment is appropriate. NexGen further confirms that comprehensive monitoring plans are proposed for the Project, including for surface water quality (Draft EIS Appendix 23B [Environmental Assessment Monitoring and Follow-Up Programs Proposed for the Project]).
603.	MN-S (October 19, 2022)	15.2.8.2, p. 15-32 Atmospheric Sources	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.	NexGen maintains that the ambient air quality criteria selected for the air quality screening of constituents of potential concern (COPCs) are appropriate. A precautionary approach was used for screening COPCs that followed standard best practices for human health risk assessments (HHRAs). The HHRA followed guidance from CSA N288.6:22 *Environmental Risk Assessments for Nuclear Facilities and Uranium Mines and Mills* (CSA Group 2022). It also met the requirements for an environmental assessment outlined in Section 4.1 of REGDOC-2.9.1, *Environmental Principles, Assessments and Protection Measures* (CNSC 2020). Screening values to determine COPCs were health based using a hierarchy of guidelines where Saskatchewan ambient air quality standards were selected, where available, followed by (in decreasing order of preference): Alberta ambient air quality objectives, Ontario ambient air quality criteria, and Texas effects screening levels (Draft EIS TSD XXI [Environmental Risk Assessment], Section 4.3.3.1). The criteria used in the HHRA were in accordance with current science and regulatory requirements. No additional consideration of guidelines is required for the Final EIS. **References** CNSC (Canadian Nuclear Safety Commission). 2020. REGDOC-2.9.1: Environmental Principles, Assessments and Protection Measures, Version 1.2. September 2020. ISBN 978-0-660-06255-6. Available at https://publications.gc.ca/site/eng/9.895706/publication.html. CSA Group (Canadian Standards Association Group). 2022. CSA N288.6-22: Environmental Risk Assessments at Nuclear Facilities and Uranium Mines and Mills.
604.	MN-S (October 19, 2022)	15.2.8.2, p. 15-32 Atmospheric Sources	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.	NexGen notes that the soil screening values selected for the environmental risk assessment (ERA) were the agricultural soil guidelines (CCME 1999) (Draft EIS TSD XXI [Environmental Risk Assessment], Section 4.3.3.4, Table 4-10). These guidelines were selected as the agricultural guidelines are the most restrictive of the land types considered in CCME 1999 and address other exposure pathways beyond atmospheric deposition that account for ingestion of plants by birds and mammals. Therefore, NexGen maintains that the approach taken in the ERA is protective of people and the environment and no further assessment is required. **References** CCME (Canadian Council of Ministers of the Environment). 1999. Canadian Environmental Quality Guidelines. Available at https://ccme.ca/en/current-activities/canadian-environmental-quality-guidelines.
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.	NexGen appreciates the reviewer's comment confirms that exposure through dermal contact with water as noted in Draft EIS Section 15.2.8.3 (Exposure Pathways and Conceptual Model) should have been incorporated into Figure 15.2-5 of Draft EIS Section 15.2.8.3. NexGen will update Figure 15.2-5 of Final EIS Section 15.2.8.3 (Exposure Pathways and Conceptual Model) to include the dermal contact pathway for water. This will be represented by "C" for contact in the updated figure.

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

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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 AFAFs: 10 for infants, 5 for toddlers, 3 for children, and 2 for teenagers.[10]	NexGen acknowledges the reviewer's comment though maintains that using an age-dependent adjustment factor (ADAF) of 1 to calculate incremental lifetime cancer risk for human health receptors is appropriate and aligns with regulatory guidance. As stated in Section 5.4.1 of Draft EIS TSD XXI (Environmental Risk Assessment), "Health Canada recommends that for carcinogens where the mode of action is unknown or the burden of proof for a threshold mode of action is not met, that the assessment should follow the non-threshold approach (i.e., a linear dose-response relationship). The Canadian drinking water guideline technical document for arsenic indicates that there is limited data on the mode of action for arsenic and that the use of a non-linear relationship may overestimate cancer risks of internal organs (Health Canada 2006). Therefore, for this assessment, a linear approach for arsenic was used, and the age-dependent adjustment factors for all life stages were set at 1". This approach is consistent with the *Federal Contaminated Site Risk Assessment in Canada: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA)* (Health Canada, 2021), which states the following regarding ADAFs: "[w]hen the mode of action is unknown or the burden of proof for a threshold mode of action has not been met, non-threshold approach to cancer risk estimation is applied. In these cases, a default age-specific adjustment is not recommended (i.e., ADAF = 1 for all life stages)." **References** Health Canada. 2006. Guidelines for Canadian Drinking Water Quality: Guideline Technical Document—Arsenic. Healthy Environments and Consumer Safety Branch. Health Canada. 2013. Interim Guidance on Human Health Risk Assessment for Short-Term Exposure to Carcinogens at Contaminated Sites. Federal Contaminated Sites Risk Assessment in Canada. Health Canada, 2021. *Federal Contaminated Site Risk Assessment in Canada: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA),* v.3.0, Pub. 200464, H129-114-2021-eng.pdf (publications.gc.ca).
607.	MN-S (October 19, 2022)	15.2.9, p. 15-37 Risk Characterization and Determination of Significance	"Arsenic was evaluated …. as a non-threshold carcinogen … For this assessment, the lifetime average daily dose was estimated for various age groups … to permit estimation of the lifetime risk to a composite receptor for each of the subsistence harvester, seasonal resident, and permanent resident." 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]	NexGen confirms that Health Canada (2021) guidance was followed for the calculation of carcinogen dose to human health receptors. As stated in Section 5.2.4.1.2 of Draft EIS TSD XXI (Environmental Risk Assessment), "predicted exposure was averaged over the receptor's lifetime to estimate a lifetime average daily dose representing a combination of all life stages. For this assessment, the lifetime average daily dose was estimated for various age groups (toddler, child, teen, adult) to permit estimation of the lifetime risk to a composite receptor for each of the subsistence harvester, seasonal resident, and permanent resident (Table 5-8). Therefore, a composite receptor was calculated assuming 4.5 years as a toddler, 7 years as a child, 8 years as a teen and 60 years as an adult. For the camp worker, an adult receptor was considered appropriate." As the camp worker was considered an adult receptor, less than lifetime exposure was considered appropriate. **References** Health Canada. 2021. Federal Contaminated Site Risk Assessment in Canada: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA). Version 3.0.
608.	MN-S (October 19, 2022)	15.2.9, p. 15-37 to 15-38 Risk Characterization and Determination of Significance	"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" 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.	NexGen acknowledges the reviewer's comment and agrees that follow-up monitoring for the Project would be conducted to confirm that effects are not worse that predicted in the EA. Environmental monitoring would focus on providing data to verify the predictions made by the environmental risk assessment (ERA), refine the models used in the ERA, and reduce the uncertainty in the predictions made by the ERA. NexGen confirms that monitoring activities would be developed that evaluate the quality of Traditional Foods. The scope of monitoring to be conducted is planned to be discussed within the Environmental Committees formed between NexGen and the primary Indigenous Groups. An outcome of these discussions could be to include monitoring of moose meat quality through opportunistic sample collection methods (e.g., tissue from an animal harvested by a community member).

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

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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.	NexGen confirms that the air quality and water quality baseline data used in the EA reflect existing conditions based on field sampling programs for atmospheric and aquatic environments. Baseline data for these environments may be found in Draft EIS Annex I (Atmospheric Baseline Report), Draft EIS Annex (Hydrogeology Baseline Report), Draft EIS Annex IV.2 (Hydrometric Monitoring Characterization Report), and Draft EIS Annex V.1 (Aquatic Environment Baseline Report).
610.	MN-S (October 19, 2022)	15.5.1.2, p. 15-60 Carcinogens	Figure 15.5-1: Interpretation of Incremental Cancer Risk for Human Health Receptors – Application Case 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.	NexGen acknowledges the reviewer's comment, and to reduce potential confusion, will remove the reference locations from Figure 15.5-1 of Final EIS Section 15.5.1.2 (Carcinogens).
611.	MN-S (October 19, 2022)	15.6, p. 15-72 to 15-73 Risk Characterization and Significance Determination	Table 15.6-1 Classification of Residual Effects on Human Health Measurement Indicators for the Application Case and Reasonably Foreseeable Development Case 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.	NexGen confirms that the base case hazard quotients (HQs) provided in Table 15.5-1 of Draft EIS Section 15.5.1.1 (Non-carcinogens) are for the same receptor locations as described in Table 15.6-1 of Draft EIS Section 15.6 (Risk Characterization and Significance Determination). As noted in Draft EIS Section 15.2.9 (Risk Characterization and Determination of Significance), a protective benchmark HQ value of 0.2 per medium (e.g., water, soil, food, air), or less, excluding existing conditions, was considered acceptable for the assessment. Therefore, if the calculated HQ for a constituent of potential concern (COPC) was predicted to be 0.2 or lower per medium as a result of Project effects (i.e., not considering existing conditions), the probability of occurrence was ranked as unlikely. As a result, an unlikely rating could occur despite Project effects being continuous, permanent, and irreversible, or if a HQ of greater than a 0.2 HQ was present under existing conditions (e.g., molybdenum).
612.	MN-S (October 19, 2022)	15.6, p.15-73 Risk Characterization and Significance Determination	Table 15.6-1 Classification of Residual Effects on Human Health 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 al 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.	NexGen notes that context regarding the Health Canada (2021) cancer risk levels is provided in Draft EIS Section 15.5.1.2 (Carcinogens). In addition, as presented in Table 15.5-2 of Draft EIS Section 15.5.1.2, the predicted cancer risk for the subsistence harvester at the Patterson Lake South Arm during the Project lifespan for both the Application Case and upper bound sensitivity scenario would be within the 1 in 10,000, or very low risk level (i.e., equivalent to many healthcare interventions), with all other receptors falling within the negligible cancer risk level. Also, for the Reasonable Foreseeable Development Case, as presented in Table 15.5-6 of Draft EIS Section 15.5.2.2, the predicted cancer risk for the camp worker and seasonal resident at the Patterson Lake South Arm during the Project lifespan would be within the 1 in 10,000, or very low risk level; the predicted cancer risk for the subsistence harvester at the Patterson Lake South Arm during the Project lifespan would be within the 1 in 1,000, or low risk level (i.e., equivalent to clinical procedures); and for all other receptors the predicted cancer risk would be within the negligible cancer risk level. As the incremental cancer risk levels as a result of the Project and the Project combined with reasonably foreseeable developments are designated between low risk and negligible risk, the conclusion of adverse effects being non significant is appropriate. No changes to the EIS are required. **References** Health Canada. 2021. Federal Contaminated Site Risk Assessment in Canada: Guidance on Human Health Preliminary Quantitative Risk Assessment (PQRA). Version 3.0.
613.	MN-S (October 19, 2022)	15.7, p. 15-75 Prediction Confidence and Uncertainty	Table 15.7-1 How Uncertainties in the Human Health Exposure are Addressed 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.	NexGen confirms that NexGen would not implement restrictions on residency within the regional study area (RSA) other than access restrictions for the Project site associated with public health and safety. However, NexGen notes that, other than some limited access, there is no residential infrastructure within the RSA.
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.	NexGen agrees with the reviewer's comment and confirms that detailed monitoring plans will be developed during licensing and permitting. Monitoring plans will include measures to verify that Project effects are within the EA predictions for discipline assessments (e.g., air quality, hydrogeology, water quality and sediment quality), many of which had outputs that formed assumptions for the environmental risk assessment (ERA). In addition, monitoring will be used to verify ERA model predictions and provide data to improve model predictions and reduce uncertainty. Adaptive management would also be applied, where required. If mitigation measures are shown to not be working as intended, additional mitigation measure opportunities would be explored and implemented, as applicable. Assuming regulatory approvals are received and the Project advances, NexGen would update the ERA on a periodic basis (approximately every 5 years) to include new monitoring data and confirm mitigation measures are working as expected.

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615.	MN-S (October 19, 2022)	15.8, p. 15-76 Monitoring, Follow-Up, and Adaptive Management	"short-term exceedances … may occur within the Project footprint …" 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).	NexGen acknowledges the reviewer's comment and maintains that, as discussed in Section 4.3.3.3 of Draft EIS TSD XXI (Environmental Risk Assessment), further quantitative assessments for nitrogen dioxide (NO_2), particulate matter (PM), and uranium are not required as the screening assessments showed that only minor, short-term, reversible effects to human health could potentially occur. With respect to NO_2, NexGen notes that Section 4.3.3.3.1 of Draft EIS TSD XXI provides context to support the conclusion that further quantitative assessment is not required. In summary, there would be infrequent exceedances of the 1-hour NO_2 threshold. While there could be potential effects to sensitive human receptors, these effects would be short-term and subside shortly after exposure. With respect to PM, NexGen notes that Section 4.3.3.3.2 of Draft EIS TSD XXI provides context to support the conclusion that further quantitative assessment is not required. The assessment showed that the 24-hour criteria for PM with a diameter of 10 microns or less (PM_{10}) and PM with a diameter of 2.5 microns or less ($PM_{2.5}$) are exceeded during Construction and Operations at the fence line; however, frequency of exceedances are low (2.7%) and the annual criteria are not exceeded. It is acknowledged that some individuals may experience respiratory symptoms, but symptoms would be reversible and subside shortly after exposure (Draft EIS TSD XXI, Section 4.3.3.3.2). With respect to uranium, Section 4.3.3.3.3 of Draft EIS TSD XXI provides context to support the conclusion that further quantitative assessment of uranium was not required. From a radiological perspective, uranium was quantitatively assessed in the multi-pathways assessment in Section 5.2.4 of Draft EIS TSD XXI. From a non-radiological perspective, uranium in PM_{10} marginally exceeded the 24-hour criterion but did not exceed the annual criterion at the fence line during Operations. Since the predicted maximum concentrations did not exceed the annual screening value, from a non-radiological risk perspective, unacceptable levels of risk for human and ecological health are not expected from the occasional exceedances of the 24-hour value. Due to the importance of maintaining human health, NexGen confirms that a monitoring program would be implemented to measure ambient air concentrations.
616.	MN-S (October 19, 2022)	16, p. ii *Existing Conditions (Section 16.3)*	"In total, 180 ha were assessed and no heritage resources were identified in the survey area." 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. 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.	NexGen notes that the information requested by the reviewer is provided in Draft EIS Section 16.3.1 (Cultural and Heritage Resources) and Draft EIS Annex IX (Heritage Resources Impact Assessment and Cover Letter). As described in Draft EIS Section 16.3.1, the field assessment was completed under Archaeological Resource Investigation Permit No. 18-068 and consisted of 239 shovel probes. On 26 November 2018, the Heritage Conservation Branch (Saskatchewan Ministry of Parks, Culture and Sport) confirmed that the HRIA met the requirements of Section 63 of *The Heritage Property Act* and no further assessment was required. **References** *The Heritage Property Act*. SS 1979-80, c H-2.2. Effective 28 November 1980. Available at https://www.canlii.org/en/sk/laws/stat/ss-1979-80-c-h-2.2/latest/ss-1979-80-c-h-2.2.html.
617.	MN-S (October 19, 2022)	16, p. iv *Potential Effects and Proposed Mitigation (Section 16.4)*	"With respect to Indigenous land and resource use, proposed mitigation measures that would reduce effects include: ▪ 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 …." 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
618.	MN-S (October 19, 2022)	Section 16.5, Section 16.4	Section 16.5 of the EIS states: "Perception that mine activities may adversely affect the quality of water, fish, plants, and wildlife." "Perceptions of contamination at decommissioned facilities and the suitability of the land and resources for practising traditional activities."	NexGen notes that the statements referenced by the reviewer are located in the executive summary for Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use) and are referring to residual effects assessed that were specific to perceptions of water, fish, plant, and wildlife resource quality. Real effects to water, fish, plants, and wildlife are also assessed within the Draft EIS and considered Indigenous Knowledge (Draft EIS Section 16.5.1.2 [Availability of Fish, Plants, and Wildlife for Harvesting]; Draft EIS Section 16.5.1.3 [Quality of the Indigenous Land and Resource Use Experience]). No changes are required for the Final EIS.

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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
			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. 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. Please revise text so that , at a minimum, it reflects “real or perceived” impacts.	
619.	MN-S (October 19, 2022)	Section 16.8	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] This summary only discusses mitigation measures, however lacks detail and information related to follow-up and adaptive management. 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. 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. Without a “baseline” of the current understanding, a future survey will provide little value in terms of assessing a change in understanding. 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. 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. 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.	NexGen notes that the bulleted list referenced by the reviewer is located in the executive summary for Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use) and that more detailed information is located elsewhere in the Draft EIS. Monitoring and follow-up activities for Indigenous land and resource use are discussed in Draft EIS Section 16.7 (Monitoring, Follow-Up, and Adaptive Management) and more details regarding adaptive management are located in Draft EIS Section 23.5.3 (Adaptive Management). NexGen confirms that discussions with the MN-S regarding monitoring, follow-up, and adaptive management are planned to occur through the Environmental Committee.
620.	MN-S (October 19, 2022)	16.2.3, p. 16-16 Spatial Boundaries	“The spatial boundary selected for the cultural and heritage resources assessment was defined as the heritage study are and included three main areas of the maximum disturbance area (Annex IX, Figure 3):” 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. 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.	NexGen notes that Draft EIS Annex IX (Heritage Resources Impact Assessment and Cover Letter) forms a part of the Draft EIS submission. As the information has already been provided within the Draft EIS, no changes are required for the Final EIS.
621.	MN-S (October 19, 2022)	16.2.3, p. 16-18 Spatial Boundaries	Table 16.2-2 Spatial Boundaries for the Assessment of Indigenous Land and Resource Use LSA Description: “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.”	NexGen confirms that the information requested by the reviewer was considered when defining the spatial boundaries for assessment and is provided in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use). As noted in Draft EIS Section 16.2.3 (Spatial Boundaries), the definition of the local study area and regional study area for the Indigenous land and resource use valued component were defined to include predicted effects on supporting intermediate components (e.g., noise, air quality) and VCs (e.g., fish and fish habitat, traditional use plants, and wildlife and wildlife habitat). NexGen also notes that hydrology and surface water quality form part of the aquatic environment. As the information has already been considered and provided, no changes are required for the Final EIS.

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			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] 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.	
622.	MN-S (October 19, 2022)	16.2.6, p. 16-24 Existing Conditions	Table 16.2-3 Linkage between Existing Conditions and Measurement Indicators 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. Readers should not be required to consult an alternate document to understand the existing conditions.	NexGen confirms that the information requested by the reviewer is within the Draft EIS. As presented in Section 3.0 of Draft EIS Annex IX (Heritage Resources Impact Assessment and Cover Letter), four previously known heritage resource sites are located within the regional area of the Project, though none of these sites are near the Project maximum disturbance area. No changes are required for the Final EIS.
623.	MN-S (October 19, 2022)	16.2.7, p. 16-26 Project Interactions and Mitigations	"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." No mitigation is guaranteed to avoid an effect; mitigations are intended to minimize potential effects. TWC recommends that MN-S request the definition for No Pathway is updated throughout the EIS.	NexGen notes that mitigation measures presented in the Draft EIS include avoidance measures, which would avoid effects. The mitigation hierarchy of avoid, minimize, reclaim/restore, and offset is widely recognized nationally and internationally (IFC 2012; ENV 2018; BBOP 2021). Therefore, no changes are required to the definition of "No Pathway" in the Draft EIS. **References** BBOP (Business and Biodiversity Offset Programme). 2021. Key Concepts: The Mitigation Hierarchy. Washington, D.C. Accessed September 2021. Available at https://www.forest-trends.org/bbop/bbop-key-concepts/mitigation-hierarchy/. ENV (Saskatchewan Ministry of Environment). 2018. Adaptive Management Guidelines for Saskatchewan Wind Energy Projects. IFC (International Finance Corporation). 2012. Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources. 12 January 2012.
624.	MN-S (October 19, 2022)	16.3.2.2, p. 16-38 Métis Nation-Saskatchewan Northern Region	"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." The overall MN-S population numbers should be included to understand the impact of a population decrease of 600 since 2011.	NexGen notes that the focus of Draft EIS Section 16.3.2.2 (Métis Nation – Saskatchewan Northern Region 2) is to describe the existing conditions for the MN-S NR2; therefore, discussion regarding the overall MN-S population numbers is not required.
625.	MN-S (October 19, 2022)	16.3.3, p. 16-39 Contemporary Indigenous Land and Resources	"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." 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.	NexGen confirms that the information requested by the reviewer is included in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use). Changes in the availability of fish for harvesting due to increased access and competition was evaluated in Draft EIS Section 16.4.2 (Secondary Pathways) and changes in human health resulting from the consumption of fish was evaluated in Draft EIS Section 16.4.1 (No Pathway). In addition, effects on the availability of fish for harvesting resulting from changes to abundance and distribution was assessed in Draft EIS Section 16.5.1.2 (Availability of Fish, Plants, and Wildlife for Harvesting) and perceptions of changes to fish quality as a result of the Project was assessed in Draft EIS Section 16.5.1.3.6 (Perceptions of Water, Fish, Plant, and Wildlife Resource Quality).
626.	MN-S (October 19, 2022)	16.3.3.6, p. 16-59 Summary of Contemporary Indigenous Land Use	"The MN-S has stated that the Patterson Lake area has historical and current value and is paramount to its members, and their lifeblood ..." 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.	NexGen appreciates the reviewer's comment; however, NexGen maintains that the assessment endpoint of "continued ability to participate in Indigenous land and resource use activities" is appropriate and does not recommend the addition of "as they currently occur". Revising the assessment endpoint to focus only on Indigenous land and resource use practices as they currently occur would represent a more narrow analysis than what is presented in the Draft EIS. This narrower focus would not recognize that Indigenous land use is dynamic and responsive to changes in the environment over time and in keeping

[12] EIS, p. 16-14.

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			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.	with the needs and preferences of Indigenous Peoples. If land is not currently used by Indigenous Peoples, this does not mean it was not used in the past and will not be used in the future. Indigenous land and resource use practices as they currently occur are discussed as existing conditions (Draft EIS Section 16.3.3 [Contemporary Indigenous Land and Resource Use]) and included in the assessment for the Indigenous land and resource use effects pathways (Table 16.4 1 of Draft EIS Section 16.4. [Project Interactions and Mitigations]). The importance and current use of any specific locations identified by each Indigenous Group, such as those locations described in the Indigenous Knowledge and Traditional Land Use Studies provided by the Indigenous Groups, were considered within the assessment of Indigenous land and resource use. A weight-of-evidence approach was used that allowed consideration of context, uncertainty, benefits, and accommodation to be incorporated into the assessment. This approach to assessment aligns with the requirements of the *Canadian Environmental Assessment Act, 2012*. For the reasons described above, it is more appropriate for the assessment endpoint to reflect the broader interest in a continued ability to participate in Indigenous land and resource use activities across the landscape. No changes are proposed in the Final EIS to address this IR. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
627.	MN-S (October 19, 2022)	16.4, p. 16-60 to 16-62 Project Interactions and Mitigations	Table 16.4-1 Potential Adverse Effects Pathways for Indigenous Land and Resource Use Environmental Design Features and Mitigations column 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.	NexGen confirms that discussions with the MN-S regarding monitoring, follow-up, and adaptive management are planned to occur through the Environmental Committee. These discussions would include consideration of additional mitigation measures that may be identified through monitoring activities.
628.	MN-S (October 19, 2022)	16.4, p. 16-60 to 16-62 Project Interactions and Mitigations	Table 16.4-1 Potential Adverse Effects Pathways for Indigenous Land and Resource Use ILU-01/ILU-02/ILU-03/ILU-05: Environmental Design Features and Mitigation "Implement Benefit Agreements including …" 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
629.	MN-S (October 19, 2022)	16.4, p. 16-62 Project Interactions and Mitigations	Table 16.4-1 Potential Adverse Effects Pathways for Indigenous Land and Resource Use ILU-05 (Effects Pathway Changes to air or water quality) Environmental Design Features and Mitigation 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. Environmental Protection, Management and Monitoring Plans must consider Indigenous Knowledge including consideration of real or perceived impacts communicated by MN-S.	NexGen confirms that discussions with the MN-S regarding monitoring, follow-up, and adaptive management are planned to occur through the Environmental Committee. These discussions would include consideration of additional mitigation measures that may be identified through monitoring activities.
630.	MN-S (October 19, 2022)	16.5.1.2.2, p. 16-73 *Access to and Area available for Indigenous Land and Resource Use*	"NexGen also commits to supporting intergenerational transfer of knowledge." It is unclear what actions NexGen is committing to; additional information and context is required to support this statement.	NexGen notes that the text referenced by the reviewer speaks to mechanisms within the Benefit Agreements with Indigenous Groups, which are confidential. Therefore, no additional text will be provided in the Final EIS.

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631.	MN-S (October 19, 2022)	16.5.1.2.3, p. 16-78 to 16-79 Hunting and Trapping	"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." It is unclear if mitigations or monitoring programs are being proposed to address this change in movement and potential connectivity between habitats.	NexGen notes that mitigation measures proposed to minimize effects to woodland caribou and Indigenous land and resource use are provided in Table 14.4-1 of Draft EIS Section 14.4 (Project Interactions and Mitigations) and Table 16.4-1 of Draft EIS 16.4 (Project Interactions and Mitigations), respectively. Detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups. In general, wildlife surveillance monitoring will be included in the Environmental Management Plan, which would include observations of wildlife adjacent to the Project site.
632.	MN-S (October 19, 2022)	16.5.1.2.3, p. 16-82 Summary	"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." 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. 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.	NexGen notes that the text referenced by the reviewer is within the assessment of the availability of fish, plants, and wildlife for harvesting measurement indicator, which evaluated the availability of these resources (Draft EIS Section 16.5.1.2). Therefore, in this regard, NexGen maintains the conclusion that the Project would result in small, localized effects to Indigenous land and resource use is accurate. Project effects associated with access to and area available for Indigenous land and resource use and quality of the Indigenous land and resource use experience, as noted within the reviewer's comment, are assessed in Draft EIS Section 16.5.1.1 (Access to and Area Available for Indigenous Land and Resource Use) and Draft EIS Section 16.5.1.3 (Quality of the Indigenous Land and Resource Use experience), respectively.
633.	MN-S (October 19, 2022)	16.5.1.3.3, p. 16-86 Air Quality	"Dust could affect the quality of Indigenous land use experience in the LSA 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." 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. 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.	NexGen notes that mitigation measures proposed to minimize dust and effects of dust to Indigenous land and resource use are provided in Table 7.2-10 of Draft EIS Section 7.2.4 (Project Interactions and Mitigations) and Table 16.4-1 of Draft EIS 16.4 (Project Interactions and Mitigations), respectively. Detailed scoping and development of environmental monitoring program details developed for the Project would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. In addition, monitoring mechanisms, including those to be completed through independent Indigenous monitoring, would be established through the Environmental Committees established with the primary Indigenous Groups.
634.	MN-S (October 19, 2022)	Section 16.5.1.3.4	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." 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. MN-S requests the opportunity to be engaged and collaborate on all aspects of end land use, closure, and reclamation planning. 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.	NexGen notes that although reclamation would occur on Project permanent features such as the WRSAs, the terrain would have changed as a result of Project activities. Therefore, the effectiveness of reclamation would be uncertain, and in alignment with a precautionary approach to assessment (Draft EIS Section 6.9.1 [Residual Effects Classification]), effects to vegetation communities in these areas were considered to be permanent. NexGen would make all reasonable efforts to reclaim permanent structures to vegetation communities representative of existing conditions. Detailed development of the Project Decommissioning and Reclamation Plan would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. Engagement for the Decommissioning and Reclamation Plan development would occur through the Environmental Committees established with the primary Indigenous Groups. NexGen also notes that the reviewer's request for an assessment of visual effects, including predictive modelling, is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*, and outside the scope of the Project Terms of Reference (Draft EIS Appendix 1A [Concordance Tables for the Terms of Reference and Generic Guidelines for Preparation of an Environmental Impact Statement], Table 1A-2). Although a visual effects assessment is not required for the EA, NexGen would be willing to work with the primary Indigenous Groups, including the MN-S, through the Environmental Committees to conduct visual effects monitoring to evaluate additional future potential mitigation measures that may be considered during the Project lifespan. **References**

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				Canadian Environmental Assessment Act, 2012. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
635.	MN-S (October 19, 2022)	16.5.1.3.4, p. 18-88 Aesthetics	"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 ..." How will the reversal of effects be accomplished and confirmed if the end goal is not consistent with the current conditions? Predictive visual modelling and renderings should be provided to confirm the anticipated outcome and support statements these objectives. 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?' MN-S requests the opportunity to be engaged and collaborate on all aspects of end land use, closure, and reclamation planning.	With respect to reclamation of vegetation ecosystems, the timeline for reclamation to produce ecosites representative of existing conditions depends on achieving the succession of different seral stages, which is predicted to be from 5 to 80 years. Therefore, while ecosystems natural to the local area are expected to exist, areas affected by the Project may be at different successional stages than the surrounding environment for several years. Detailed development of the Project Decommissioning and Reclamation Plan would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. Engagement for the Decommissioning and Reclamation Plan development would occur through the Environmental Committees established with the primary Indigenous Groups. NexGen notes that the reviewer's request for an assessment of visual effects, including predictive modelling, is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*, and outside the scope of the Project Terms of Reference (Draft EIS Appendix 1A [Concordance Tables for the Terms of Reference and Generic Guidelines for Preparation of an Environmental Impact Statement], Table 1A-2). Although a visual effects assessment is not required for the EA, NexGen would be willing to work with the primary Indigenous Groups, including the MN-S, through the Environmental Committees to conduct visual effects monitoring to evaluate additional future potential mitigation measures that may be considered during the Project lifespan. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
636.	MN-S (October 19, 2022)	Section 16.5.1.3.5.1	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. … 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 …" The proposed mitigation measures include no specific mention of Indigenous land and resource users. 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.	NexGen notes that the text from Draft EIS Section 16.5.1.3.5.1 (Access Road) referenced by the reviewer specifically identifies Indigenous land and resource users. In addition, trappers, which include Indigenous trappers, are provided as a specific example in the subsequent bulleted list. Detailed development of the Project Ground Transportation Emergency Response Plan would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. Engagement for the Ground Transportation Emergency Response Plan development would likely occur through the Implementation Committees established with the primary Indigenous Groups.
637.	MN-S (October 19, 2022)	16.5.1.3.5.2, p. 16-88 *Highway 955*	"Highway 955 was documented by Indigenous Groups as a travel route to access traditional use areas or other communities … The Ground Transportation Emergency Response Plan would contain limited measures to address Indigenous land user traffic safety on Highway 955 due to the roadway being under provincial purview ..." 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. 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. 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	NexGen notes that detailed development of the Project Ground Transportation Emergency Response Plan would occur outside of the environmental assessment process (e.g., during federal licensing and provincial permitting processes) and involve engagement with the primary Indigenous Groups, including the MN-S. Engagement for the Ground Transportation Emergency Response Plan development would likely occur through the Implementation Committees established with the primary Indigenous Groups.

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638.	MN-S (October 19, 2022)	16.5.1.3.6, p. 16-88 Perceptions of Water, Fish, Plant and Wildlife Resource Quality	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. 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.	NexGen notes that the section referenced by the reviewer (i.e., Draft EIS Section 16.5.1.3.6 [Perceptions of Water, Fish, Plant, and Wildlife Resource Quality]) is specifically referring to perceived effects. Real effects regarding resource quality are also assessed within the Draft EIS Section 16.5.1.2 (Availability of Fish, Plants, and Wildlife for Harvesting) and considered Indigenous Knowledge. No changes are required for the Final EIS.
639.	MN-S (October 19, 2022)	16.5.1.3.6, p. 16-90 Perceptions of Water, Fish, Plant and Wildlife Resource Quality	"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: ..." 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. Mitigations to address perceived impacts must be informed by collaboration and contribution of MN-S. 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.	NexGen acknowledges the reviewer's comment though disagrees that proposed mitigation measures do not include collaborative activities with Indigenous Groups, including the MN-S, and that opportunities to contribute to Project mitigation measures during EIS development were not provided to the MN-S. Following the text referenced by the reviewer, Draft EIS Section 16.5.1.3.6 (Perceptions of Water, Fish, Plant, and Wildlife Resource Quality) goes on to note the following mitigation measures, all of which would involve engagement with Indigenous Groups: ▪ "implement the Project environmental protection measures designed to minimize effects to the environment; ▪ support an independent Indigenous monitoring program to verify that the Project is effectively protecting the environment; ▪ implement Benefit Agreements that support ongoing traditional land use and enhance Project benefits; ▪ implement the Indigenous and Public Engagement Program to communicate the results of environmental monitoring programs to verify environmental protection and build trust; and ▪ carry out progressive and final reclamation that considers the final land use objectives of Indigenous communities." In addition, over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss the Project and EA through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided.
640.	MN-S (October 19, 2022)	16.5.1.3.6, p. 16-91 Perceptions of Water, Fish, Plant and Wildlife Resource Quality	"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." 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
641.	MN-S (October 19, 2022)	16.6, p. 16-108 to 16-109 Residual Effects Classification and Determination of Significance	Table 16.1: Classification of Residual Effects on Indigenous Land and Resource Use Measurement Indicators Direction Row of the Table for ALL measurement indicators The direction of all measurement indicators has been identified as negative. No positive effects have been identified for any indicators related to Indigenous Land and Resource Use under any of the Measurement Indicators. This data does not support an outcome of a "not significant"[13] residual adverse effect on Indigenous land and resource use.	NexGen notes that the process to determine the significance of potential residual adverse effects on the Indigenous land and resource use valued component (VC) involved conducting a weight-of-evidence assessment that considered direction, magnitude, geographic extent, duration, reversibility, frequency, and probability of occurrence of Project effects (Draft EIS Section 16.2.9 [Residual Effects Classification and Determination of Significance]). As direction represents only one of the assessment criteria, evaluating significance using this criterion in isolation would not follow the established EA practice. NexGen further notes that magnitude and geographic extent, which are two of the most influential factors for the determination of significance, were generally low; therefore, the classification of effects for the Indigenous land and resource use VC as not significant is appropriate. Despite the fact that residual adverse effects on Indigenous land and resource use are anticipated to be not significant, NexGen acknowledges that continued land and resource use activities are critical to local Indigenous Groups and communities, and necessary to maintain a social licence to operate. NexGen is committed to effectively implementing the proposed mitigations to protect land and resources, allowing independent Indigenous Monitors to verify that the Project is protecting the environment and human health, continuing to build relationships and trust, and supporting

[13] EIS, Section 16.6.2, p. 16-114.

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				cultural programs to maintain Indigenous connections to the land (Draft EIS Section 16.6.2 [Significance Determination]).
642.	MN-S (October 19, 2022)	16.6, p. 16-108 to 16-109 Residual Effects Classification and Determination of Significance	Table 16.1: Classification of Residual Effects on Indigenous Land and Resource Use Measurement Indicators Duration Row of the Table for ALL measurement indicators 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. 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. It is also unclear how this timeframe is connected to intergenerational Knowledge Transfer by Indigenous land and resource users. This data does not support an outcome of a "not significant"[14] residual adverse effect on Indigenous land and resource use.	NexGen confirms that the reduced timeframes for the cumulative effects predicted in the Reasonably Foreseeable Development (RFD) Case versus the Application Case are accurate. The RFD Case assessments conducted for the EA focus on the temporal overlap where effects to people and the environment from both the Project and the Fission Patterson Lake South Property would be generated. The Project would have a 4-year Construction Phase, 24-year Operations Phase, and 5-year Active Closure Stage (Draft EIS Section 5.1.4 [Project Phases]) whereas the Fission Patterson Lake South Property would have a 3-year construction period, 7-year operations period, and 5-year active closure period (i.e., assumed the same active closure time as for the Project) (Draft EIS Section 16.2.5 [Assessment Cases]). Therefore, the minimum temporal overlap between the Project and the Fission Patterson Lake Property would be 15 years. However, the actual overlap between the two projects would depend on the duration of overlapping effects. As an example, the overlapping, or RFD-Case effects to access to and area available for Indigenous land and resource use would be 25 years for effects associated with non-permanent facilities (Draft EIS Section 16.6.1 [Classification Summary], Table 16.6-1). This timeline represents the maximum timeframe for the Fission Patterson Lake South Property before access becomes available for Indigenous land and resource use, which would include the 3-year construction period, 7-year operations period, and 5-year active closure period, and 10-year transitional monitoring period. For permanent facilities, the effects would be permanent as access is assumed to not be fully restored for the Fission Patterson Lake South Property above-ground tailings facility (Draft EIS Section 16.6.1, Table 16.6-1). NexGen notes that the effects to the intergenerational Indigenous Knowledge transfer as a result of changes to access to and area available for Indigenous land and resource use is assessed in Draft EIS Section 19 (Community Well-Being) under the indicator grouping of cultural continuity. NexGen also notes that the process to determine the significance of potential residual adverse effects on the Indigenous land and resource use valued component (VC) involved conducting a weight-of-evidence assessment that considered direction, magnitude, geographic extent, duration, reversibility, frequency, and probability of occurrence of Project effects (Draft EIS Section 16.2.9 [Residual Effects Classification and Determination of Significance]). As duration represents only one of the assessment criteria, evaluating significance using this criterion in isolation would not follow the established EA practice. NexGen further notes that magnitude and geographic extent, which are two of the most influential factors for the determination of significance, were generally low; therefore, the classification of effects for the Indigenous land and resource use VC as not significant is appropriate. Despite the fact that residual adverse effects on Indigenous land and resource use are anticipated to be not significant, NexGen acknowledges that continued land and resource use activities are critical to local Indigenous Groups and communities, and necessary to maintain a social licence to operate. NexGen is committed to effectively implementing the proposed mitigations to protect land and resources, allowing independent Indigenous Monitors to verify that the Project is protecting the environment and human health, continuing to build relationships and trust, and supporting cultural programs to maintain Indigenous connections to the land (Draft EIS Section 16.6.2 [Significance Determination]).
643.	MN-S (October 19, 2022)	16.6, p. 16-108 to 16-109 Residual Effects Classification and Determination of Significance	Table 16.1: Classification of Residual Effects on Indigenous Land and Resource Use Measurement Indicators Frequency Row of the Table for ALL measurement indicators The frequency of all measurement indicators is listed as continuous. This data does not support an outcome of a "not significant"[15] residual adverse effect on Indigenous land and resource use.	NexGen notes that the process to determine the significance of potential residual adverse effects on the Indigenous land and resource use valued component (VC) involved conducting a weight-of-evidence assessment that considered direction, magnitude, geographic extent, duration, reversibility, frequency, and probability of occurrence of Project effects (Draft EIS Section 16.2.9 [Residual Effects Classification and Determination of Significance]). As frequency represents only one of the assessment criteria, evaluating significance using this criterion in isolation would not follow the established EA practice. NexGen further notes that magnitude and geographic extent, which are two of the most influential factors for the determination of significance, were generally low; therefore, the classification of effects for the Indigenous land and resource use VC as not significant is appropriate. Despite the fact that residual adverse effects on Indigenous land and resource use are anticipated to be not significant, NexGen acknowledges that continued land and resource use activities are critical to local Indigenous Groups and

[14] Ibid.
[15] Ibid.

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				communities, and necessary to maintain a social licence to operate. NexGen is committed to effectively implementing the proposed mitigations to protect land and resources, allowing independent Indigenous Monitors to verify that the Project is protecting the environment and human health, continuing to build relationships and trust, and supporting cultural programs to maintain Indigenous connections to the land (Draft EIS Section 16.6.2 [Significance Determination]).
644.	MN-S (October 19, 2022)	16.8, p. 16-117 Monitoring, Follow-up, and Adaptive Management	"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." 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
645.	MN-S (October 19, 2022)	16.9, p. 16-118 Key Findings	"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." Please see previous comments for additional detail on each of the points summarized below: ▪ As a rights holder, MN-S should be the 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 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. 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.	NexGen notes that as the comments provided by the reviewer have been addressed through responses to previous comments provided by the reviewer regarding Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use). Responses may be identified as follows: ▪ With respect to the comment regarding mitigation and monitoring, refer to public comment numbers. 626, 630, 632, 633, 634, 635, and 636. ▪ With respect to the determination of significance for the Indigenous land and resource use valued component, refer to public comment numbers 640, 641, and 642. NexGen also notes that the assertion that reclamation activities are not anticipated to result in a return of the land to the current ecotypes or vegetation is not properly characterized. Over time, reclamation is expected to successfully produce ecosystems and vegetation communities comparable to existing conditions with the exception of permanent facilities, where effects were conservatively deemed to be irreversible. ▪ With respect to Indigenous land and resource use in specific locales, refer to public comment number 631. ▪ With respect to the status of the Benefit Agreement between NexGen and the MN-S, refer to public comment numbers 616, 627, 629, 639, and 643.
646.	MN-S (October 19, 2022)	17.0, p. i *Section Purpose*	"The Other Land and Resource Use assessment used widely accepted scientific practices and incorporated Indigenous and Local Knowledge." 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.	NexGen confirms that bias towards western science or Indigenous Knowledge was not intended within the statement referenced by the reviewer. The Draft EIS equally presents applicable western science and Indigenous Knowledge perspectives. NexGen also notes that for most disciplines, a greater volume of western science information was available compared to Indigenous Knowledge.
647.	MN-S (October 19, 2022)	17.0, p. iv *Residual Effects Analysis (Section 17.5)* Access to, and Area Available for, Land and Resource Use	"The Project and the Fission Patterson Lake South Property would not restrict small watercraft from navigation of Patterson Lake." 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."	NexGen notes that the statement referenced by the reviewer is located in the executive summary for Draft EIS Section 17 (Other Land and Resource Use) and represents the typical effects from the Project and the Patterson Lake South Property. However, NexGen agrees with the reviewer that context regarding Patterson Lake access during certain construction activities should be included in Draft EIS Section 17. Therefore, to align with Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use), the phrase "access to parts of Patterson Lake may be temporarily restricted during construction of in-lake infrastructure, but unrestricted access to the lake is expected during Operations and Closure" will be added to Final EIS Section 17.5.1.1 (Access to and Area Available for Land and Resource Use).

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648.	MN-S (October 19, 2022)	17.0, p. iv *Residual Effects Analysis (Section 17.5)* Quality of the Resource Use Experience	"Perceptions that mine activities adversely affect the quality of fish and wildlife for harvest. Perceptions of contamination at decommissioned facilities." Text should, at a minimum, reflect "real or perceived" impacts. 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 Knowledge) is not supported or equal in importance to scientific data collection.	NexGen notes that the statements referenced by the reviewer are located in the executive summary for Draft EIS Section 17 (Other Land and Resource Use) and are referring to residual effects assessed that were specific to perceptions of fish and wildlife resource quality. Real effects to fish and wildlife are also evaluated within the Draft EIS and considered Indigenous Knowledge (Draft EIS Section 17.4.1 [No Pathways]; Draft EIS Section 17.4.2 [Secondary Pathways]). No changes are required for the Final EIS.
649.	MN-S (October 19, 2022)	17.0, p. v *Monitoring, Follow-up and Adaptive Management (Section 17.8)*	"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." 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.	NexGen notes that the statement referenced by the reviewer is located in the executive summary for Draft EIS Section 17 (Other Land and Resource Use) and is referring to future Project engagement and monitoring activities (i.e., activities following Project approvals, if received). However, NexGen confirms that engagement activities have occurred to date with commercial trappers, outfitters, and other potentially affected land users.
650.	MN-S (October 19, 2022)	17.2.1, p. 17-10 Incorporation of Indigenous and Local Knowledge	"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." 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.	NexGen notes that Appendix A of the Study Agreement signed between NexGen and the MN-S explicitly describes the protocols regarding the sharing, use, and verification of Indigenous Knowledge, all of which have been precisely followed during the EA process.
651.	MN-S (October 19, 2022)	17.2.1, p. 17-11 Incorporation of Indigenous and Local Knowledge	"Comments submitted by Indigenous Groups on the Project Description … were also reviewed for applicable Indigenous and Local Knowledge. 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." 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.	NexGen notes that Appendix A of the Study Agreement signed between NexGen and the MN-S explicitly describes the protocols regarding the sharing, use, and verification of Indigenous Knowledge, all of which have been precisely followed during the EA process.
652.	MN-S (October 19, 2022)	17.2.2.3, p. 17-13 Assessment Endpoints	"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." 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.	As noted in the statement referenced by the reviewer and presented in Table 17.2-1 of Draft EIS Section 17.2.2.3 (Assessment Endpoints), the measurement indicators considered in assessing the significance to the other land and resource use valued component were the access to and area available for land and resource use, availability of fish and wildlife for harvesting, and quality of the resources and the quality of resource use experience. These measurement indicators provided the ability for a comprehensive assessment of other land and resource use in consideration of effects from the Project and other reasonably foreseeable developments. As factors such as market conditions, business fluctuations, and government policies are not related to Project activities, these considerations were rightfully omitted from the assessment.
653.	MN-S (October 19, 2022)	17.2.6, p. 17-21 Existing Conditions	"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 ..." It is unclear from this statement if Indigenous commercial and recreational use is represented within this data.	NexGen confirms that commercial trapping data displayed in Table 17.3.3 of Draft EIS Section 17.3.2.2 (Commercial Trapping in the Regional Study Area) includes Indigenous trapping and commercial fishing data displayed in Table 17.3-4 of Draft EIS Section 17.3.3.1 (Commercial Fishing) includes Indigenous commercial fishers. Data for non-commercial Indigenous fishers conducting rights-based fishing are only available where Indigenous members have voluntarily provided this information to the ENV.
654.	MN-S (October 19, 2022)	17.2.6, p. 17-22 Existing Conditions	"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." 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.	NexGen notes that the preceding paragraph to the text referenced by the reviewer in Draft EIS Section 17.2.6 (Existing Conditions) describes the four sources considered with respect to confirming cabin locations. If a cabin location appeared in at least two of the four sources, the cabin location was considered to be present under existing conditions.
655.	MN-S (October 19, 2022)	17.2.6, p. 17-22 Existing Conditions	"The IKTLU Studies supported the integration of Indigenous and Local Knowledge into the assessment."	NexGen confirms that bias towards western science or Indigenous Knowledge was not intended within the statement referenced by the reviewer. The existing conditions sections within the Draft EIS equally present applicable western

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			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.	science and Indigenous Knowledge perspectives. NexGen also notes that for most disciplines, a greater volume of western science information was available compared to Indigenous Knowledge.
656.	MN-S (October 19, 2022)	17.2.7, p. 17-23 Project Interactions and Mitigations	**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. No mitigation is guaranteed to avoid an effect; mitigations are intended to minimize potential effects.	NexGen notes that mitigation measures presented in the Draft EIS include avoidance measures, which would avoid effects. The mitigation hierarchy of avoid, minimize, reclaim/restore, and offset is widely recognized nationally and internationally (IFC 2012; ENV 2018; BBOP 2021). **References** BBOP (Business and Biodiversity Offset Programme). 2021. Key Concepts: The Mitigation Hierarchy. Washington, D.C. Accessed September 2021. Available at https://www.forest-trends.org/bbop/bbop-key-concepts/mitigation-hierarchy/. ENV (Saskatchewan Ministry of Environment). 2018. Adaptive Management Guidelines for Saskatchewan Wind Energy Projects. IFC (International Finance Corporation). 2012. Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources. 12 January 2012.
657.	MN-S (October 19, 2022)	17.2.8, p. 17-24 Residual Effects Analysis	A qualitative assessment was conducted on potential changes…changing perceptions concerning the potential quality of country foods for consumption… 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.	NexGen acknowledges the reviewer's comment and confirms that the assessment of all Indigenous land and resource uses, including topics that were considered in Section 17 (Other Land and Resource Use), was conducted in Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use). With respect to the example provided by the reviewer, Draft EIS Section 16.5.1.3.6 (Perceptions of Water, Fish, Plant, and Wildlife Resource Quality) assessed potential changes to perceptions of the quality of Traditional Foods as it pertains to being a rights-based activity, while Draft EIS Section 17.5.1.2 (Quality of the Land and Resource Use Experience) assessed potential changes to perceptions of the quality of country foods as it pertains to being a general land use activity (e.g., quality of moose meat consumed by licensed hunters). NexGen recognizes there is considerable overlap between Draft EIS Section 16 and Draft EIS Section 17; however, Draft EIS Section 17 examines commercial and recreational activities regardless of Indigenous status or identity, though it is recognized that most local priority area residents identify as Indigenous.
658.	MN-S (October 19, 2022)	17.3.2, p. 17-32 Commercial Trapping	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. It remains unclear how Section 16 and Section 17 have considered Indigenous land and resource use. Section 35(2) of the *Constitution Act* (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.	NexGen recognizes there is considerable overlap between Draft EIS Section 16 and Draft EIS Section 17; however, NexGen maintains that the approach to these assessments is appropriate. As stated in Draft EIS Section 17.1 (Introduction), Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use) focuses on all activities that are an expression of Aboriginal and treaty rights including hunting and trapping, fishing, and gathering for food and ceremonial purposes; places of occupancy such as cabins and camp sites; access and travel routes; and culturally important sites such as those with a spiritual or historical importance for traditional or cultural purposes for Indigenous Peoples, while Draft EIS Section 17 (Other Land and Resource Use) focuses on the commercial and recreational uses that are derived from the natural environment. Commercial resource use includes activities in which people from both non-Indigenous and Indigenous communities may participate: commercial fishing and trapping; lodges, outfitting and ecotourism; forestry; and mining.
659.	MN-S (October 19, 2022)	17.3.2.1, p. 17-32 History of Commercial Trapping	Indigenous Peoples in northern Saskatchewan have been involved in trapping fur-bearing animals for commercial purposes since the 1700s. This statement directly contradicts the text in 17.3.2 which indicates that Indigenous commercial trapping is not considered within this discussion.	NexGen notes that the text in Draft EIS Section 17.3.2 (Commercial Trapping) does not state that Indigenous commercial trapping is not considered within this section; rather the text in Draft EIS Section 17.3.2 indicates that the focus is with respect to trapping for commercial purposes, which includes Indigenous commercial trapping.
660.	MN-S (October 19, 2022)	17.3.2.2, p. 17-33 Commercial Trapping in the Regional Study Area	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. The values and benefits discussed here also apply to Indigenous land and resource users.	NexGen acknowledges the reviewer's comment and notes that commercial Indigenous land and resource use was included within the assessment.
661.	MN-S (October 19, 2022)	17.3.5, p. 17-45 Cabins	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.	NexGen notes that Draft EIS Section 17.2.6 (Existing Conditions) describes the four sources considered with respect to confirming cabin locations. If a cabin location appeared in at least two of the four sources, the cabin location was considered to be present under existing conditions.

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			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. 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.	
662.	MN-S (October 19, 2022)	17.4, p. 17-52 Project Interactions and Mitigations	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, 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. 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 *Constitution Act* (1982).	NexGen recognizes there is considerable overlap between Draft EIS Section 16 and Draft EIS Section 17; however, NexGen maintains that the approach to these assessments is appropriate. As stated in Draft EIS Section 17.1 (Introduction), Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use) focuses on all activities that are an expression of Aboriginal and treaty rights including hunting and trapping, fishing, and gathering for food and ceremonial purposes; places of occupancy such as cabins and camp sites; access and travel routes; and culturally important sites such as those with a spiritual or historical importance for traditional or cultural purposes for Indigenous Peoples, while Draft EIS Section 17 (Other Land and Resource Use) focuses on the commercial and recreational uses that are derived from the natural environment. Commercial resource use includes activities in which people from both non-Indigenous and Indigenous communities may participate: commercial fishing and trapping; lodges, outfitting and ecotourism; forestry; and mining.
663.	MN-S (October 19, 2022)	17.4, p. 17-53 to 17-54 Project Interactions and Mitigations	Table 17.4-1 Potential adverse effects pathways for Other Land and Resource Use Environmental Design Features and Mitigation for OLU-01/OLU-02/OLU-03/OLU-04: …Implement Project Benefit Agreements… 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
664.	MN-S (October 19, 2022)	17.5.1.1, p. 17-61 Access to and Area Available for Land and Resource Use	The Project is not predicted to restrict access to or between the lakes in the Other Land and Resource Use LSA. 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."	NexGen agrees with the reviewer that context regarding Patterson Lake access during certain construction activities should be included in Draft EIS Section 17. Therefore, to align with Draft EIS Section 16 (Cultural and Heritage Resources and Indigenous Land and Resource Use), the phrase "access to parts of Patterson Lake may be temporarily restricted during construction of in-lake infrastructure, but unrestricted access to the lake is expected during Operations and Closure" will be added to Final EIS Section 17.5.1.1 (Access to and Area Available for Land and Resource Use).
665.	MN-S (October 19, 2022)	17.6.2, p. 17-71 Significance Determination	Due to the Project remote location, resource use for commercial and recreational purposes is nominal (meaning virtually absent but not confirmed to be zero), and only two resource user groups were identified as potentially affected: Trappers and lodge and outfitting clientele. The findings of Section 17 identify trappers as potentially effected land and resource users, however Section 16[16] 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.	NexGen notes that residual adverse effects can occur to valued components (VCs) without being classified as significant adverse effects. As described in Draft EIS Section 6.3.2 (Assessment Endpoints and Measurement Indicators) the significance of effects from the Project on VCs was evaluated by linking changes in measurement indicators to effects on the VCs in the context of the associated influences on assessment endpoints. Evaluating the changes to measurement indicators was conducted through residual effects analyses, which assessed the effects that may occur resulting from the identified primary pathways from the Project to people and the environment (Draft EIS Section 6.8 [Residual Effects Analysis]). For many VCs, residual adverse effects would remain after the incorporation of mitigation measures; however, as these residual adverse effects would not result in an inability to achieve the assessment endpoint, the residual adverse effects were classified to be not significant. With the above context in mind, the results of the assessments of the Indigenous land and resource use VC and the other land and resource use VC are consistent as, while residual adverse effects would exist, the effects on both VCs were deemed to be not significant. This would include effects to Indigenous trappers.
666.	MN-S (October 19, 2022)	17.6.2, p. 17-72 Access to, and Area Available for, Land and Resource Use	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. 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.	NexGen confirms that trapper compensation is not a specific mitigation that was considered in the assessment of other land and resource use. The reference to potential trapper compensation in Draft EIS Section 17.6.2 (Significance Determination) represents a forward-looking mitigation option that could be considered should impacts to trapper revenue as a result of the Project occur. This compensation would be provided by NexGen.

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

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667.	MN-S (October 19, 2022)	17.7, p. 17-75 Predication Confidence and Uncertainty	Uncertainty was managed by: … Validation with Indigenous and Local Knowledge where possible;… 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. 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.	NexGen notes that the Study Agreement signed between NexGen and the MN-S in 2019 contains the terms and conditions regarding the verification and use of Indigenous Knowledge in the Project EA. While the content of the Study Agreement is confidential, a few of the key focuses of the Study Agreements were to: develop a Joint Working Group (JWG) structure for each Indigenous Group to support the inclusion of Indigenous Knowledge into the EA process and to facilitate regular, ongoing engagement; assist in the identification of valued components for the EA; and support Indigenous Knowledge and Traditional Land Use (IKTLU) Studies in various forms particular to each Indigenous Group. As per the Study Agreement with the MN-S, a key purpose of the JWG was to share Indigenous Knowledge for integration into the Draft EIS. In compliance with the terms of the Study Agreement, meeting minutes were captured during the JWG meetings, drafted by an independent consultant, and distributed and reviewed by the JWG, thereby verifying the accuracy of Indigenous and Local Knowledge shared during the JWG meetings. Information from these meetings was then considered within the Project EA, where applicable. In addition to Indigenous and Local Knowledge received through the JWG process, the MN-S IKTLU Study submitted to NexGen in August 2020 provided Indigenous Knowledge to help inform the Project EA. The IKTLU Study included details regarding MN-S physical and cultural heritage, land and resource use, traditional diet, infrastructure and services, employment and economy, and human health, and provided maps of key traditional land use areas. Information within the IKTLU Study was considered alongside other information provided by the MN-S and other Indigenous Groups. NexGen adhered to the Study Agreement terms and conditions regarding the use of Indigenous Knowledge provided by the MN-S through both the JWG and the IKTLU Study; therefore, further verification of the accuracy of information to be used within the Draft EIS was not required. With respect to the incorporation of Indigenous and Local Knowledge within the Draft EIS, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline specific assessment approaches through the JWG meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission); no specific comments regarding potential misrepresentation of Indigenous and Local Knowledge provided by the MN-S within the Draft EIS were received during these EA results meetings.
668.	MN-S (October 19, 2022)	18.0, p.i Section Purpose	"The selection was also informed by Indigenous and Local Knowledge obtained from Indigenous Knowledge and Traditional Land Use Studies and Joint Working Groups, and feedback received during community engagement sessions." 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. 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.	NexGen notes that, as discussed in Draft EIS Section 3.6 (Incorporation of Indigenous and Local Knowledge), Indigenous Knowledge was valued equally to Western science in the Draft EIS. The term 'obtained' is commonly used to describe the gathering of information. With respect to the incorporation of Indigenous and Local Knowledge within the Draft EIS, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline specific assessment approaches through the JWG meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission); no specific comments regarding potential misrepresentation of Indigenous and Local Knowledge provided by the MN-S within the Draft EIS were received during these EA results meetings.
669.	MN-S (October 19, 2022)	18.0, p. iii *Project Interactions, Mitigations, and Benefit*	"… 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."	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.

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		Enhancement (Section 18.4)	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. Further, proposed mitigations should be clearly outlined. Text such as "supporting the economic participation of affected communities" is ambiguous and open to interpretation. 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.	
670.	MN-S (October 19, 2022)	18.0, p. iv *Employment*	"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." Has NexGen established aspirational targets for hiring of Indigenous Peoples in addition to members of the LSA? Employment targets—as well as Education and Training, and Business and Contracting—should be established to support the Indigenous Economy and considered within the assessment.	NexGen notes that details regarding employment, training, and business opportunities are contained within the Benefit Agreements signed between NexGen and each of the local priority area (LPA) Indigenous Groups; this information is confidential. NexGen also notes that, as discussed in Draft EIS Section 18.3.3.3 (Indigenous Identity), approximately 96% of LPA community members identify as being Indigenous. Therefore, the aspirational targets noted in Draft EIS Section 18 (Economy) are generally tied to opportunities for Indigenous Peoples.
671.	MN-S (October 19, 2022)	18.0, p. v Monitoring, Follow-up, and Adaptive Management (Section 18.7)	"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." 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. 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
672.	MN-S (October 19, 2022)	18.2.2.2, p. 18-11 Measurement Indicators	"Nine measurement indicators were identified for the economy VC (Table 18.2-1): … ▪ Indigenous community participation and employment in the traditional economy; ▪ income: o personal income and household income, and wage income and traditional economy income; …" 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 affiliation with a business or commercial operation. 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.	NexGen notes that more detailed information regarding the traditional economy is presented in Draft EIS Section 18.3.6 (Income). The traditional economy, or subsistence economy, refers to activities such as hunting, fishing (non-commercial), trapping, plant harvesting, and crafting that take place outside of the market or wage economy and provide food and other necessities of life that either support people and communities through personal use or are given to, exchanged with, or bartered with other members of the community but are not purchased with cash.
673.	MN-S (October 19, 2022)	18.2.2.3, p. 18-12 *Assessment Endpoints*	Table 18.2-1 Valued Component Rationale, Measurement Indicators, and Assessment Endpoints Assessment Endpoints ▪ 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. … Maintaining opportunities to participate in the traditional economy." 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.	NexGen notes that, as discussed in Draft EIS Section 18.4.1 (Primary Pathways), there are no adverse Project interactions identified that were predicted to result in primary pathways to the economy as effects to the economy are generally expected to be beneficial. Therefore, an assessment of residual effects on the assessment endpoints was not required. Notwithstanding the expectation that Project effects on the economy would be beneficial, NexGen remains committed to enhancing employment, income, education, and training opportunities to Indigenous Groups and other local priority area residents. In addition to standard Project monitoring activities designed to monitor the level of success associated with this goal, mechanisms identified in Benefit Agreements with Indigenous Groups, including the MN-S, along with activities conducted through the Community Vitality Monitoring Partnership Program, would be used to determine if measurement indicators related to economy assessment endpoints are being achieved. Overall, wage opportunities in the local priority area are limited (Draft EIS Section 18.3.2 [Local Study Area Economy]), while a high percentage of local Indigenous Peoples participate in the traditional economy; therefore, enhancing

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			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.	economic opportunities in the wage economy and maintaining opportunities to participate in the traditional economy represent suitable assessment endpoints. NexGen notes that assessing Indigenous individuals from non-Indigenous individuals is outside the scope of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
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 interests and concerns, as well as supported data triangulation (e.g., cross-referencing) to verify the data was accurate and representative of the communities." This text seems to be missing some content, in particular following "as well as". 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) cannot be considered verification that data is an accurate representation of the Indigenous community experience. 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.	NexGen notes that the phrase referenced by the reviewer is accurate as currently written. No changes are required for the Final EIS. With respect to the incorporation of Indigenous and Local Knowledge within the Draft EIS, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline specific assessment approaches through the JWG meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission); no specific comments regarding potential misrepresentation of Indigenous and Local Knowledge provided by the MN-S within the Draft EIS were received during these EA results meetings.
675.	MN-S (October 19, 2022)	18.2.6.2, p. 18-20 Existing Conditions	*Key Person Interview Program* "A total of 73 interviews were conducted with community members ... 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)." 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.	NexGen notes that the key person (KP) interview process is outlined in Draft EIS Section 2.6.3.1.2 (Summary of Key Person Interview Research Program) and Section 4.3.4 of Draft EIS Annex X (Socio-economic Baseline Report), with additional information available in Draft EIS Section 18.2.6.2 (Key Person Interview Program) and Draft EIS Section 19.2.6.2 (Key Person Interview Program). In summary, the KP interview process was approached collaboratively with the primary Indigenous Groups and communities through the Community Coordinators funded as part of the Study Agreements signed between NexGen and the primary Indigenous Groups, including the MN-S. Community Coordinators were trained to assist in identifying participants in the KP interview program and were primarily responsible for initial outreach and scheduling of interviews. Interview guides were developed to seek additional information and provide local context. In other words, Indigenous Group appointees helped determine the key persons that would possess adequate knowledge and experience. Key person interviews were conducted with community members, including business owners, principals and staff of schools, housing clerks, healthcare directors, band councillors, women with knowledge experience with the worker rotation system, and the Royal Canadian Mounted Police (Draft EIS Annex X, Section 4.3.4).
676.	MN-S (October 19, 2022)	18.2.7, p. 18-23 Project Interactions, Mitigations, and Benefit	"Project interactions determined as no pathway, secondary pathways, or beneficial pathways were not carried forward for further assessment (Section 6.7.3)." This text appears to be missing some content and should be reviewed and updated.	NexGen notes that the phrase referenced by the reviewer is accurate as currently written. No changes are required for the Final EIS.
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.	NexGen notes that the Multi-Party Training Plan (MPTP) is spelled out at first use in Draft EIS Section 18.3.1.1 (Overview of History of Uranium Industry in Northern Saskatchewan). No changes are required for the Final EIS.
678.	MN-S (October 19, 2022)	18.3.7.2, p. 18-62 *Educational Attainment*	"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.	NexGen acknowledges the reviewer's comment though notes that the details presented in Draft EIS Section 18.3.7.2 (Post-Secondary Education) represent the manner in which data is recorded by Statistics Canada (2016). **References** Statistics Canada. 2016. Guide to the Census of Population. Chapter 11 - Dissemination. Updated January 2020. Available at https://www12.statcan.gc.ca/census-recensement/2016/ref/98-304/index-eng.cfm.

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679.	MN-S (October 19, 2022)	18.4, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	Table 18.4-1: Effects Pathways for Economy E-01, Mitigation and Benefit Enhancement Policies and Actions Column includes: ▪ "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." 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? 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. 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.	NexGen notes that specific details regarding the role of Elders at the Project site will be determined in collaboration with the primary Indigenous Groups. During Project engagement, Indigenous Groups suggested that providing Indigenous employees opportunities to engage with Elders while on shift would help support individuals by keeping them connected with their culture when on site. Therefore, this mitigation is expected to support employee retention. NexGen also notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, the portion of the reviewer's comment related to the Benefit Agreement has been addressed.
680.	MN-S (October 19, 2022)	18.4, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	Table 18.4-1 Effects Pathways for Economy Mitigation and Benefit Enhancement Policies and Actions column includes: "E-02 … ▪ 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." 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
681.	MN-S (October 19, 2022)	18.04, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	Table 18.4-1 Effects Pathways for Economy E-02 Mitigation and Benefit Enhancement Policies and Actions Column - all content 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.	NexGen notes that several of the mitigation measures presented in Table 18.4-1 of Draft EIS Section 18.4 (Project Interactions and Mitigation) are designed to support local priority area business opportunities, including start-up business opportunities. Examples include: ▪ 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. ▪ Provide advance notice of business opportunities. ▪ Work with local communities to maintain a local business registry. ▪ Pre-qualify each Indigenous business listed in the business registry and provide feedback to any Indigenous business that does not successfully pre-qualify. ▪ Develop and implement a single source process and a preferred competitive bid process to facilitate the success of capable and suitably qualified Indigenous businesses. ▪ Establish a long-term aspirational target of 30% of external spending being awarded to local study area and regional study area businesses. ▪ Implement provisions of Benefit Agreements related to employment, training, and economic development.
682.	MN-S (October 19, 2022)	1.4, p. 18-70 Project Interactions, Mitigations and Benefit Enhancement	Table 18.4-1 Effects Pathways for Economy Effects Pathway column… "E-04 … ▪ Benefit Agreements include payments to Indigenous Groups based on revenue generated throughout the life of the Project." 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.

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			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.	
683.	MN-S (October 19, 2022)	18.4.1, p. 18-72 Beneficial Pathways	"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." 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. 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
684.	MN-S (October 19, 2022)	18.4.3, p. 18-88 Secondary Pathways	"E-05: Population migration … 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)." 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.	As noted in Draft EIS Section 18.1 (Introduction), the Project site is remote and worker accommodation would be serviced by fly-in/fly-out access. In addition, as noted in Draft EIS Section 18.4.3 (Secondary Pathways), air pick-up points for the workforce would not be limited solely to the local priority area (LPA) communities and would likely include locations such as Saskatoon and Prince Albert. Therefore, there would be no measurable incentive for skilled workers currently located outside the LPA to move within the LPA, and in-migration of non-former residents is anticipated to be minimal.
685.	MN-S (October 19, 2022)	18.8, p. 18-91 Key Findings	"Sustainable economic opportunities associated with the Project also form part of the signed Benefit Agreements with Indigenous Groups." 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
686.	MN-S (October 19, 2022)	18.8, p. 18-93 Key Findings	"Mitigation, enhancement, and monitoring are proposed to sustainably maximize economic opportunities these include … ▪ Providing a dedicated space for Elders to be available to support Indigenous employees." 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?	NexGen notes that specific details regarding the role of Elders at the Project site will be determined in collaboration with the primary Indigenous Groups. During Project engagement, Indigenous Groups suggested that providing Indigenous employees opportunities to engage with Elders while on shift would help support individuals by keeping them connected with their culture when on site. Therefore, this mitigation is expected to support employee retention.

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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
687.	MN-S (October 19, 2022)	19.0, p. i *Section Purpose*	"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." 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. MN-S request the assessment of community well-being is updated to include consideration of the Human Health Effects Assessment.	NexGen confirms that effects to human health were considered in the assessment of community well-being. The human health risk assessment (Draft EIS Section 15) informed the assessment of Indigenous land and resource use (Draft EIS Section 16) and other land and resource use (Draft EIS Section 17), the results of which were used to inform the assessment of community well-being (Draft EIS Section 19). The Project is not predicted to result in significant effects to human health. Negligible risks were determined for non-carcinogens, radon, and radionuclides, and negligible to low risk was determined for arsenic at the Project boundary and decreased to negligible further from the Project location.
688.	MN-S (October 19, 2022)	19.0, p. vi *Project Interactions, Mitigations and Benefit Enhancement (Section 19.4)*	"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 ..." 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? 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.	NexGen notes that specific details regarding the role of Elders at the Project site will be determined in collaboration with the primary Indigenous Groups. During Project engagement, Indigenous Groups suggested that providing Indigenous employees opportunities to engage with Elders while on shift would help support individuals by keeping them connected with their culture when on site. Therefore, this mitigation is expected to support employee retention.
689.	MN-S (October 19, 2022)	19.0, p. vi *Project Interactions, Mitigations and Benefit Enhancement (Section 19.4)*	"… 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, 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." 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. 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. MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
690.	MN-S (October 19, 2022)	19.0, p. viii Demand for Community Infrastructure and Services	"… 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 ..." 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
691.	MN-S (October 19, 2022)	19.1, p. 19-4 Introduction	Figure 19.1-3 Community Well-Being elements *AND* "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."	NexGen confirms that effects to human health were considered in the assessment of community well-being. The human health risk assessment (Draft EIS Section 15) informed the assessment of Indigenous land and resource use (Draft EIS Section 16) and other land and resource use (Draft EIS Section 17), the results of which were used to inform the assessment of community well-being (Draft EIS Section 19). The Project is not predicted to result in significant effects to human health. Negligible risks were determined for non-carcinogens, radon, and radionuclides, and negligible to low risk was determined for arsenic at the Project boundary and decreased to negligible further from the Project location.

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			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. 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. MN-S request the assessment of community well-being is updated to include consideration of the Human Health Effects Assessment.	
692.	MN-S (October 19, 2022)	19.2.1, p. 19-10 Incorporation of Indigenous Knowledge	"Comments submitted by Indigenous Groups on the Project Description … were also reviewed for applicable Indigenous and Local Knowledge." 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. 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. MN-S request that NexGen update text to reflect any verification process undertaken to confirm the application of Indigenous Knowledge. 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.	NexGen acknowledges the reviewer's comment though does not agree that opportunities to discuss both the approach to EA development and results of the EA, including verification of the manner in which Indigenous and Local Knowledge was incorporated into the EIS, were not provided by NexGen to the MN-S. NexGen also notes this request is outside the scope of the CNSC Generic Guidelines for the preparation of an EIS (CNSC 2021). The Study Agreement signed between NexGen and the MN-S in 2019 contains the terms and conditions regarding the verification and use of Indigenous Knowledge in the Project EA. While the content of the Study Agreement is confidential, a few of the key focuses of the Study Agreements were to: develop a Joint Working Group (JWG) structure for each Indigenous Group to support the inclusion of Indigenous Knowledge into the EA process and to facilitate regular, ongoing engagement; assist in the identification of valued components for the EA; and support Indigenous Knowledge and Traditional Land Use (IKTLU) Studies in various forms particular to each Indigenous Group. The Study Agreement also provided funding for a Community Coordinator appointed by the MN S for the explicit purpose of fulfilling the commitments within the Study Agreement. As per the Study Agreement with the MN-S, a key purpose of the JWG was to share Indigenous Knowledge for integration into the Draft EIS. In compliance with the terms of the Study Agreement, meeting minutes were captured during the JWG meetings, drafted by an independent consultant, and distributed and reviewed by the JWG, thereby verifying the accuracy of Indigenous and Local Knowledge shared during the JWG meetings. Information from these meetings was then considered within the Project EA, where applicable. In addition to Indigenous and Local Knowledge received through the JWG process, the MN-S IKTLU Study submitted to NexGen in August 2020 provided Indigenous Knowledge to help inform the Project EA. The IKTLU Study included details regarding MN-S physical and cultural heritage, land and resource use, traditional diet, infrastructure and services, employment and economy, and human health, and provided maps of key traditional land use areas. Information within the IKTLU Study was considered alongside other information provided by the MN-S and other Indigenous Groups. NexGen adhered to the Study Agreement terms and conditions regarding the use of Indigenous Knowledge provided by the MN-S through both the JWG and the IKTLU Study; therefore, further verification of the accuracy of information to be used within the Draft EIS was not required. With respect to the incorporation of Indigenous and Local Knowledge within the Draft EIS, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline specific assessment approaches through the JWG meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission); no specific comments regarding potential misrepresentation of Indigenous and Local Knowledge provided by the MN-S within the Draft EIS were received during these EA results meetings. NexGen does acknowledge that a copy of the complete Draft EIS was not provided to Indigenous Groups prior to its acceptance by the CNSC. Providing a copy of the Draft EIS in advance of acceptance for submission was not

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				practicable as the Draft EIS required conformance review by the CNSC to ensure that all federal regulatory requirements were met. Immediately following confirmation of concordance with the applicable federal regulatory requirements, the Draft EIS was accepted for review by the CNSC; at this time, NexGen simultaneously hand-delivered an electronic copy of the Draft EIS to the MN-S at the MN-S office in Saskatoon. NexGen notes that through their participation in the FIRT process, the MN-S have been given the opportunity to review how Indigenous and Local Knowledge has been integrated into the Draft EIS, including information related to existing conditions. No specific comments have been received stating that the interpretation of Indigenous and Local Knowledge provided by the MN-S has been conducted incorrectly within the Draft EIS. NexGen maintains that suitable opportunities have been provided to the MN-S to verify the use of Indigenous and Local Knowledge within the Draft EIS, and to date, no specific comments regarding the accuracy of information used have been provided to NexGen by the MN-S. NexGen reiterates that this request is also outside the scope of the CNSC Generic Guidelines for the preparation of an EIS (CNSC 2021). **References** CNSC (Canadian Nuclear Safety Commission). 2021. Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to the *Canadian Environmental Assessment Act, 2012*. Available at http://cnsc.gc.ca/eng/resources/environmental-protection/ceaa-2012-generic-eis-guidelines.cfm.
693.	MN-S (October 19, 2022)	19.2.2.2, p. 19-13 Measurement Indicators	Table 19.2-1 Measurement Indicators, Supporting Indicators, and Factors Considered Health well-being row 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. 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.	NexGen confirms that effects to human health were considered in the assessment of community well-being. The human health risk assessment (Draft EIS Section 15) informed the assessment of Indigenous land and resource use (Draft EIS Section 16) and other land and resource use (Draft EIS Section 17), the results of which were used to inform the assessment of community well-being (Draft EIS Section 19). The Project is not predicted to result in significant effects to human health. Negligible risks were determined for non-carcinogens, radon, and radionuclides, and negligible to low risk was determined for arsenic at the Project boundary and decreased to negligible further from the Project location.
694.	MN-S (October 19, 2022)	19.2.6, p. 12-20 Existing Conditions	"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." 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. MN-S requests additional detail is included within the EIS to reflect the participants and Knowledge that was shared and applied to this assessment.	NexGen notes that the Joint Working Group participants and meeting minutes are purposely not provided within the EIS as this would contravene the confidentiality aspects of the Study Agreements signed between NexGen and the primary Indigenous Groups. No changes to the Final EIS will be made in this regard.
695.	MN-S (October 19, 2022)	19.2.6.5, p. 19-25 Existing Conditions *COVID-19 Impacts*	"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." The use of LGBTQ2S+ without reference to people or community diminishes the identify of those that are members of the LGBTG2S+ community to a label. It is also unclear if the scope of the workshop was intended to include LGBTQ2S+ allies and family members. 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 ...".	NexGen will amend the text in Final EIS Section 19.2.6.5 (COVID-19 Impacts) to state "A workshop for members of the LGBTQ2S+ (lesbian, gay, bisexual, transgender, queer or questioning, and two-spirit plus) community was postponed due to COVID-19".
696.	MN-S (October 19, 2022)	19.2.11, p. 19-31 Monitoring. Follow-up and Adaptive Management	"NexGen has demonstrated a commitment to working with LSA Indigenous Groups and communities to realize the potential socio-economic benefits the Project would provide." This statement is ambiguous, and it is unclear what demonstration of commitment is being referenced.	NexGen notes that the phrase referenced by the reviewer represents a general statement regarding NexGen's demonstrated commitment to working with local Indigenous Groups and communities since before Project exploration was initiated, as expressed throughout the Draft EIS. NexGen further notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, no changes are required for the Final EIS.

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			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.	
697.	MN-S (October 19, 2022)	19.3.1.1.3.2, p. 19-38 *Buffalo Narrows*	"The Buffalo Narrows population is predominantly Métis (i.e., 80.2%) with some First Nations (i.e., 19.8%)." This text is contradictory to the content included on the preceding page (19-37) which states: "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)." MN-S request NexGen review and revise this content for accuracy and consistency.	NexGen acknowledges the reviewer's comment and confirms that the information could have been presented more clearly. Specifically, the first sentence referenced by the reviewer speaks to percentages of the Indigenous population in Buffalo Narrows while the second sentence referenced by the reviewer speaks to percentages of the overall population in Buffalo Narrow and La Loche. NexGen will revise Final EIS Section 19.3.1.1.3.2 (Buffalo Narrows) to clarify that the first percentage reference is specific to the proportion of Métis in the overall Indigenous population.
698.	MN-S (October 19, 2022)	19.3.1.2.2, p. 19-41 Community Context	Métis Nation–Saskatchewan Northern Region 2 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 identified that remote and digital engagement has been ongoing. 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.	NexGen notes that Draft EIS Section 19.3.1.2 (Community Context) is intended to provide high-level overviews of the primary Indigenous Groups and is not intended to provide detailed information. NexGen confirms that the relevant information for the MN-S has been included and is consistent with the level of information included for the other primary Indigenous Groups. No changes to the Final EIS are required.
699.	MN-S (October 19, 2022)	19.4, p. 19-97 to 19-100 Project Interactions and Mitigations	Table 19.4-1 Effects Pathways for Community well-being[17] Environmental Design Features, Mitigation, and Enhancements column: "CWB-01 ... ▪ 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. … CWB-03 … ▪ Implement provisions of **Benefit Agreements** related to culture, traditional values, employment, training and economic development, and including: ▪ funding and human resources …" 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? 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. 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. 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.	NexGen notes that specific details regarding the role of Elders at the Project site will be determined in collaboration with the primary Indigenous Groups. During Project engagement, Indigenous Groups suggested that providing Indigenous employees opportunities to engage with Elders while on shift would help support individuals by keeping them connected with their culture when on site. Therefore, this mitigation is expected to support employee retention. NexGen also notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, the portion of the reviewer's comment related to the Benefit Agreement has been addressed.

[17] Emphasis in original

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			MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.	
700.	MN-S (October 19, 2022)	19.4, p. 19-97 Project Interactions and Mitigations	Table 19.4-1 Effects Pathways for Community well-being[18] Environmental Design Features, Mitigation, and Enhancements column: "CBW-03 …. ▪ Work with local Indigenous Groups and communities to **develop fishing policies** that consider both fisheries protection and traditional use activities." It is unclear in what jurisdiction NexGen must develop, implement, and enforce fishing policies. 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.	NexGen notes that the mitigation measure referenced by the reviewer is specific to a potential policy that could be applied for workers on site during their shift (i.e., a Project site work condition), which would be within NexGen's authority to enforce. NexGen acknowledges that it does not have authority to implement fishing policies at a broader scale. Further information regarding the consideration of a potential on-site fishing policy is provided in Draft EIS Section 16.4.2 (Secondary Pathways).
701.	MN-S (October 19, 2022)	19.4.1, p. 19-102 Beneficial Pathways	CWB-09: Increased Income "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 …" 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. 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. MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
702.	MN-S (October 19, 2022)	19.4.1, p. 19-102 Beneficial Pathways	CWB-09: Increased Income "In addition to the commitments under the Benefit Agreements, NexGen is committed to: ▪ providing dedicated space for Elders to be available to support employees and assist with employee retention; …" 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? 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.	NexGen notes that specific details regarding the role of Elders at the Project site will be determined in collaboration with the primary Indigenous Groups. During Project engagement, Indigenous Groups suggested that providing Indigenous employees opportunities to engage with Elders while on shift would help support individuals by keeping them connected with their culture when on site. Therefore, this mitigation is expected to support employee retention.
703.	MN-S (October 19, 2022)	19.4.1, p. 19-104 Beneficial Pathways	CWB-11: Payments to Indigenous Groups "Benefit Agreements include payments to primary Indigenous Groups based on revenue generated throughout the life of the Project." 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.

[18] Emphasis in original

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			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. MN-S request the removal of implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.	
704.	MN-S (October 19, 2022)	19.5.1.1, p. 19-116 Access Restrictions and Avoidance	"If uses in proximity to the Project footprint continue and are encouraged through Construction and Operation, the duration of avoidance may be reduced." 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. 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.	NexGen notes that the text referenced by the reviewer represents a portion of the overall narrative intended to explain the range of disruption of the intergenerational transfer of knowledge as a result of avoidance of the area of the Project. As stated in Draft EIS Section 19.5.1.1 (Access Restrictions and Avoidance), "[t]he timeframe for these changes is difficult to predict with certainty as the intergenerational transfer of knowledge may be disrupted. If uses in proximity to the Project footprint continue and are encouraged throughout Construction and Operation, the duration of avoidance may be reduced; however, users who decide to avoid the area may stop using the area continuously through the duration of all Project phases". NexGen also notes that contextual information regarding the mitigations to minimizing avoidance of the area of the Project is presented in Draft EIS Section 19.4 (Project Interactions and Mitigations). Therefore, no changes to the Final EIS are required.
705.	MN-S (October 19, 2022)	19.5.2.1, p. 19-122 to 19-123 Access Restrictions and Avoidance	"The Benefit Agreement would provide cultural supports that contribute to cultural continuity." This is a broad and vague statement that provides no details regarding the proposed mitigation and should be removed. 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. 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. MN-S request that this text is removed and that implementation of Benefit Agreements as a mitigation measure, and beneficial pathway, throughout the EIS.	NexGen notes that the contents of Benefit Agreement signed between NexGen and the primary Indigenous Groups are confidential; therefore, provision of specific details on items such as measures implemented to contribute to cultural continuity in the Final EIS is not possible. NexGen further notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.
706.	MN-S (October 19, 2022)	19.6.2, p. 19-128 Application Case	"… 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 …" 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. MN-S request the EIS content is reviewed and updated for consistency and accuracy.	NexGen agrees with the reviewer that inconsistency exists between the text in Table 19.6-1 of Draft EIS Section 19.6.1 (Classification Summary) and Draft EIS Section 19.6.2 (Significance Determination) and confirms that the text in Draft EIS Section 19.6.2 is correct. NexGen will update Table 19.6-1 of Final EIS Section 19.6.1 (Classification Summary) to include the reference to periodic changes to cultural continuity.
707.	MN-S (October 19, 2022)	19.6.2, p. 19-127 Application Case	"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." 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. 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.	NexGen confirms that opportunities have been provided to Indigenous Groups and local communities to verify the results of the EA. In late 2021 and early 2022, NexGen offered the primary Indigenous Groups opportunities to discuss EA results (Draft EIS Appendix 2A [Indigenous Group Engagement Activities]). NexGen confirms that results meetings were held with the Indigenous Groups in September 2022, October 2022, and December 2022. In addition, EA results community information sessions were held in La Loche, Clearwater River Dene Nation (CRDN), Turnor Lake, Buffalo River Dene Nation, and Buffalo Narrows in June 2022, and Métis-specific EA results community information sessions were held in La Loche and Buffalo Narrows in October 2022. NexGen notes that no specific concerns regarding the interpretation of EA results were raised during these meetings. NexGen also notes that through their participation in the FIRT process, both the CRDN and the MN-S have been given the opportunity to review EA results. NexGen will update Final EIS Section 2 (Indigenous, Regulatory, and Public Engagement) and Final EIS TSD I (Indigenous Engagement Report) to include engagement activities that occurred between Draft EIS submission and Final EIS submission.
708.	MN-S (October 19, 2022)	19.8, p. 19-131 Monitoring, Follow-up and Adaptive Management	"… 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." 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.

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			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. 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	
709.	MN-S (October 19, 2022)	19.9, p. 19-133 Key Findings	"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." 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. 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: "… 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 …" 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 verified with Indigenous Groups. Discussion of the verification process should be included in the EIS.	NexGen notes that the Project EA was conducted under the scope of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012); the scope of an EA under CEAA 2012 focuses on potential adverse effects of a proposed project. Therefore, while beneficial effects were noted in the EIS, they did not form part of any discipline assessments, including the residual effects classification and determination of significance. Specific to Draft EIS Section 19 (Community Well-Being), the community well-being valued component did not consider any beneficial effects as part of the "not significant" determination. NexGen also notes that details regarding beneficial effects as requested by the reviewer are presented in Draft EIS Section 19.4.1 (Beneficial Pathways). The Draft EIS FIRT review process, public comment period, and engagement conducted between NexGen and the Indigenous Groups have provided opportunities for Indigenous Groups to verify the EA findings. Further discussion, if required, would be conducted through the mechanisms established through the Benefit Agreements signed between NexGen and the primary Indigenous Groups. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
710.	MN-S (October 19, 2022)	21, p. ii *Risk Assessment Approach (Section 21.5)*	"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." 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. MN-S request that a hazard scenario related to vehicle fires is considered and included within the EIS.	NexGen confirms that potential accidents and malfunctions leading to a vehicle fire were considered in the Draft EIS. As presented in Table 3-3 of Section 3.0 of Appendix A of Draft EIS TSD VIII (Accidents and Malfunctions Report), three types of accidents leading to a vehicle fire were assessed. The assessment showed that the risks would be low to moderate, with mitigation measures resulting in managing the risk to be as low as reasonably practicable. No changes are required in the Final EIS.
711.	MN-S (October 19, 2022)	21.2.2, p. 21-8 Transportation Route	"For the purpose of this assessment, the transportation route for the Project encompasses defined sections of Saskatchewan provincial Highway 955 and Highway 155 …" 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. 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.	NexGen and its qualified professionals maintain that the spatial extent of the transportation risk assessment as described in Draft EIS Section 21.5.1 (Transportation Route) and Section 1.3 of Draft EIS TSD IX (Transportation Risk Assessment Report) is appropriate. As noted in Draft EIS Section 21.5.1 and Draft EIS TSD IX, the spatial extent was informed by evaluation of the existing traffic volumes, identification of incremental increases in traffic associated with the proposed Project, and understanding of transportation emergency response times. Further consideration of the rationale as to the suitability of the spatial extent for the assessment is provided below. The key portions of the Project-related transportation route in which incremental increases in traffic are considered important to local communities have been included in the spatial extent of the assessment. ▪ Outside of the spatial extent of the assessment (i.e., within the greater provincial highway/freeway system and beyond), overall risks of Project transportation as a function of likelihood and consequence are deemed to be low. o Accident rates (expressed as number of accidents per distance travelled) on the larger highway/freeway systems are lower than on smaller, rural road and highway networks. Dangerous goods and hazardous chemicals are transported through the highway/freeway system on a national scale with very few reported incidents. o With respect to consequence, effects are expected to be similar to the consequence assessed for Highway 955 and Highway 155. As noted in Section 5.4 of Draft EIS TSD IX, Highway 55 is more accessible than the assessed locations, and response to transportation accidents along the Highway 55 corridor is likely to be more timely than it would be in the assessed locations given the proximity and accessibility to emergency response services. Timely emergency response is key to limiting potential exposure to members of the public and/or environmental effects. No changes to the Final EIS are required.

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712.	MN-S (October 19, 2022)	2.1.5.5, p. 12-20 Assessment of Bounding Scenarios for Accidents and Malfunctions	"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." Additional detail is required to understand the selection of the bounding scenarios. As written, it is unclear if all hazard scenarios identified as high-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.	NexGen confirms that the information requested by the reviewer is presented in the Draft EIS. High-risk scenarios were advanced for further assessment with the exception of those risks associated with NexGen health and safety program best practices, where the risks would be reduced to as low as reasonably practicable (Draft EIS TSD VIII [Accidents and Malfunctions Report], Appendix A, Section 3.0).
713.	MN-S (October 19, 2022)	21.6.2, p. 21-25 Selection of Bounding Scenarios	Table 21.6-2 Bounding Scenarios Considered in the Accidents and Malfunctions Assessment and Associated Mitigations Bounding Scenarios 1, 2, and 3 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).	NexGen confirms that other potential hazards associated with traffic accidents, including consideration of fires and other risks, are presented in Section 3.0 of Appendix A of Draft EIS TSD VIII (Accidents and Malfunctions Report). These hazards either possessed low risk, would be managed to represent as low as reasonably practicable risks, or were bounded by the scenarios in Draft EIS Section 21.7 (Assessment of Transportation-Related Risks). No changes are required in the Final EIS.
714.	MN-S (October 19, 2022)	21.6.3.4, p. 21-30 Risk Measurement and Evaluation	"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." 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.	NexGen acknowledges the reviewer's comment, though would like to correct two inaccuracies. In addition to the text provided by the reviewer, Draft EIS Section 21.6.3.2 (Environmental Design Features and Mitigation) also states "[p]rimary mitigation measures include planned upgrades to the existing access road to address increased use during the Project lifespan". In addition, as stated in Draft EIS Section 6.7.2 (Identification of Mitigation Measures), environmental design features form part of mitigation measures. For these reasons, the text in Draft EIS Section 21.6.3.2 is consistent with the text in Draft EIS Section 21.6.3.4 (Risk Measurement and Evaluation), and no changes to the Final EIS are required.
715.	MN-S (October 19, 2022)	21.6.4.4, p. 21-31 Risk Measurement and Evaluation	"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." 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 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.	NexGen acknowledges the reviewer's comment, though would like to correct two inaccuracies. In addition to the text provided by the reviewer, Draft EIS Section 21.6.4.2 (Environmental Design Features and Mitigation) also states "[p]rimary mitigation measures are the same as those defined for Bounding Scenario 1", which include access road upgrades, speed limits, and emergency response planning. In addition, as stated in Draft EIS Section 6.7.2 (Identification of Mitigation Measures), environmental design features form part of mitigation measures. For these reasons, the text in Draft EIS Section 21.6.4.2 is consistent with the text in Draft EIS Section 21.6.4.4 (Risk Measurement and Evaluation), and no changes to the Final EIS are required.
716.	MN-S (October 19, 2022)	21.6.5.3, p. 21-32 Assessment of Potential Effects	"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." 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."	NexGen confirms that the weather conditions considered within the assessment are presented in detail in Section 8.4.1 of Draft EIS TSD VIII (Accidents and Malfunctions Report). These conditions are defined as follows: ▪ W1: worst-case weather conditions: 95th percentile wind speed and Pasquill stability class F. Stability class F is a stable atmospheric condition that occurs during nighttime, overcast conditions, with a wind speed of less than 2 m/s, typically 1.5 m/s. Thus, wind speed of 1.5 m/s and stability class F were selected as the worst-case condition for dispersion of released materials (NOAA 2019).,W2: typical weather conditions: average wind speed and Pasquill stability class D. Stability class D is a neutral atmospheric condition that occurs during slight to moderate daytime solar intensity and thin nighttime overcast conditions, with a wind speed of around 5.0 m/s or slightly higher. This represents the average condition for dispersion of released materials (NOAA 2019). The wind rose in the area of the Project indicates that the most frequent wind speed is approximately 5 m/s. Thus, 5 m/s was selected as the typical wind speed.
717.	MN-S (October 19, 2022)	21.6.6.3, p. 21-34 Assessment of Potential Effects	"In the event of a maximum release of up to 14.9 m^3, the released tailings would flow north, away from the solvent extraction and process plant." It is unclear how the maximum release of 14.9m^3 was determined. Further, it is unclear what controls are in place to ensure that the release will not exceed 14.9 m^3.	NexGen confirms that the context for the maximum release of paste tailings considered within the assessment of bounding scenario 4: tailings transfer pipe or pump failure is presented in detail in Section 9.2 of Draft EIS TSD VIII (Accidents and Malfunctions Report). In summary, a major release from the piping system would result in the sudden drop in flow and pressure within the pipe that would be detected by the automated control system. The process control allows for the isolation of the failed portion of the piping system. With this in mind, it is expected that the contents of the isolated section of piping would be released within a few minutes; therefore, a 15-minute release scenario is reasonable and conservative. Assuming a 15-minute release period, the amount of release would be 15/60 h × 59.7 m^3/h = 14.93 m^3.
718.	MN-S (October 19, 2022)	22.1, p. 22-1 Introduction	"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."	NexGen confirms that engagement opportunities regarding mitigation measures, including measures to address the effects of natural hazards on the Project, have been offered to the MN-S.

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			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. Mitigations to address natural hazards must be informed by collaboration and contribution of MN-S. This applies for all mitigations mentioned in section 22.	Over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline-specific assessment approaches, including mitigation measures, through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission). No comments specific to proposed mitigation measures were received at that time. In addition, NexGen notes that the Draft EIS review period provided the MN-S an opportunity to comment on mitigation measures, including those designed to address effects of natural hazards on the Project. No comments in this regard have been received from the MN-S.
719.	MN-S (October 19, 2022)	22.1.2, p. 22-6 Risk Management	"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"?	Protecting and promoting the health, safety, and well-being of people and the environment through all aspects and phases of the Rook I Project is paramount. NexGen's guiding principle is that worker injuries and ill-health are preventable and that impacts to the environment and biodiversity can be effectively minimized. Through consultation and engagement with Indigenous peoples, local communities, our workers and all stakeholders, and by embracing the application of technology and best practices, NexGen is focused on achieving elite standards in all facets of the business and across its lifecycle.
720.	MN-S (October 19, 2022)	22.1.2, p. 22-6 Risk Management	"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.	Protecting and promoting the health, safety, and well-being of people and the environment through all aspects and phases of the Rook I Project is paramount. NexGen's guiding principle is that worker injuries and ill-health are preventable and that impacts to the environment and biodiversity can be effectively minimized. Through consultation and engagement with Indigenous peoples, local communities, our workers and all stakeholders, and by embracing the application of technology and best practices, NexGen is focused on achieving elite standards in all facets of the business and across its lifecycle. NexGen notes that potential Project pathways to humans and the environment, including radiological effects, as well as mitigation measures to reduce effects, are described in each discipline assessment section (i.e., Draft EIS Section 7 [Air Quality, Noise, and Climate Change] through Draft EIS Section 19 [Community Well-Being]). NexGen also notes that radiological thresholds and predicted Project radiological effects on human health and the environment are presented in Draft EIS TSD XXI (Environmental Risk Assessment). Future discussions regarding potential additional mitigation measures to reduce Project effects would be completed through the Environmental Committees between NexGen and each of the primary Indigenous Groups.
721.	MN-S (October 19, 2022)	22.1.2, p. 22-7 Risk Management	"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	NexGen confirms that discussions with the MN-S during the Project lifespan regarding monitoring, follow-up, and adaptive management are planned to occur through the Environmental Committee.
722.	MN-S (October 19, 2022)	22.3, p. 22-8 Incorporation of Indigenous Knowledge	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.	As discussed in Draft EIS Section 3.6 (Incorporation of Indigenous and Local Knowledge), Indigenous Knowledge was valued equally to Western science in the Draft EIS. The term 'incorporation' is commonly used to describe the process of merging or combining information, rather than implying a secondary position.
723.	MN-S (October 19, 2022)	22.3, p. 22-10 Incorporation of Indigenous Knowledge	"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." 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).	NexGen confirms that an inference of bias towards western science or Indigenous Knowledge was not intended within the statement referenced by the reviewer. The Draft EIS equally presents applicable western science and Indigenous Knowledge perspectives. NexGen also notes that for most disciplines, a greater volume of western science information was available compared to Indigenous Knowledge.
724.	MN-S (October 19, 2022)	22.3, p. 22-10	"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	NexGen notes that Indigenous Knowledge provided by the MN-S used in Draft EIS Section 22 (Assessment of Effects of the Environment on the Project) is cited throughout the section and includes references to information provided by

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		Incorporation of Indigenous Knowledge	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." It is unclear how MN-S's input was considered in section 22.	the MN-S through the MN-S Indigenous Knowledge and Traditional Land Use Study (Draft EIS TSD IV: MN-S) as well as through Joint Working Group meetings held with the MN-S.
725.	MN-S (October 19, 2022)	22.4.1, p. 22-11 Natural Hazard Scenario	"Natural hazards that have the potential to cause adverse effects on the Project include the following: - wildfire; - drought; - major precipitation events; - severe snowstorms; - tornado/severe thunderstorms; - extreme temperatures; and - seismic events." It unclear if MN-S had opportunities to comment on the list of natural hazards.	NexGen confirms that engagement opportunities regarding effects of the environment on the Project, including natural hazards, have been offered to the MN-S. Over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline-specific assessment approaches through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission). No comments specific to natural hazards were received at that time. In addition, NexGen notes that the Draft EIS review period provided the MN-S an opportunity to comment on potential natural hazards. No comments in this regard have been received from the MN-S.
726.	MN-S (October 19, 2022)	22.4.3, p. 22-11 Risk Measurement	"Likelihood and consequence were estimated based on industry and operational experience, Project-specific conditions, and the knowledge base of the Project team." 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.	NexGen confirms that engagement opportunities regarding risks and mitigation measures have been offered to the MN-S. Over the Draft EIS development timeframe, NexGen offered opportunities to the MN-S to discuss baseline data results, EA methods, and discipline-specific assessment approaches through the Joint Working Group (JWG) meetings throughout 2021, and discussed these topics with other primary Indigenous Groups during that time (Draft EIS Section 2.6.1.1.1 [Summary of Joint Working Group Activities]; Draft EIS Appendix 2A [Summary of Indigenous Group Engagement Activities]). However, the MN-S was unable to meet to discuss these topics. In lieu of being able to conduct JWG meetings, NexGen provided the MN-S the information discussed with other primary Indigenous Groups for review and comment. NexGen has not received any specific comments from the MN-S regarding the information provided. In late 2021 and early 2022, NexGen also offered the MN-S opportunities to discuss EA results (Draft EIS Appendix 2A); however, the MN-S was unable to meet prior to the Draft EIS submission. NexGen confirms that EA results meetings were held with the MN-S in September 2022 and October 2022 (i.e., following Draft EIS submission). No comments specific to risks or proposed mitigation measures were received at that time. In addition, NexGen notes that the Draft EIS review period provided the MN-S an opportunity to comment on risks and mitigation measures, including those designed to address effects of natural hazards on the Project. No comments in this regard have been received from the MN-S.
727.	MN-S (October 19, 2022)	22.5, p. 22-13 Climate Change	"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." It is not specified if MN-S will be engaged on the continual improvement process related to the Climate Adaptation Framework.	NexGen confirms that, should the MN-S express a desire during the Project lifespan, discussions regarding the Climate Adaptation Framework would occur through the Environmental Committee.

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728.	MN-S (October 19, 2022)	22.6.1.2, p. 22-18 Risk Measurement and Evaluation	Entire Section. It is unclear if the risk of explosions to the workers is being considered.	NexGen notes that Draft EIS Section 22 (Assessment of Effects of the Environment on the Project) focuses on effect of the environment on the Project. The risks of accidents and malfunctions are presented in Draft EIS Section 21 (Accidents and Malfunctions). While accident and malfunction risks are assessed in Draft EIS Section 21, the consideration of specific effects on workers is outside of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Information regarding worker-related risks would be submitted as part of Project licensing activities. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
729.	MN-S (October 19, 2022)	22.6.1.2, 22-19	FF-03: Fire Reaching Fuel Storage Tanks or the Surface Explosives Magazine Entire section It is unclear if the risk of explosions to the workers is being considered.	NexGen notes that Draft EIS Section 22 (Assessment of Effects of the Environment on the Project) focuses on effect of the environment on the Project. The risks of accidents and malfunctions are presented in Draft EIS Section 21 (Accidents and Malfunctions). While accident and malfunction risks are assessed in Draft EIS Section 21, the consideration of specific effects on workers is outside of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Information regarding worker-related risks would be submitted as part of Project licensing activities. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
730.	MN-S (October 19, 2022)	22.6.2.1, p. 22-21 Hazard Scenario Identification	"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." It is not specified if MN-S will be engaged on the water management planning throughout the Project lifespan.	NexGen confirms that, should the MN-S express a desire during the Project lifespan, discussions regarding water management planning would occur through the Environmental Committee.
731.	MN-S (October 19, 2022)	22.6.2.1, p. 22-21 Environmental Design Features	"During Construction and Operations, there would be an increase of water 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." 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. 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".	NexGen confirms that model results for Project water balance and water quality may be found in Draft EIS TSD XVIII (Site-Wide Water Balance and Water Quality Modelling Report). These results were carried into the assessments of hydrology (Draft EIS Section 9), surface water quality and sediment quality (Draft EIS Section 10), fish and fish habitat (Draft EIS Section 11), and human health (Draft EIS Section 15).
732.	MN-S (October 19, 2022)	22.6.2.1, p. 22-21 Mitigation	"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." 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.	NexGen notes that the text from Draft EIS Section 22.6.2.1 (Hazard Scenario Identification) referenced by the reviewer represents introductory text, with the specific mitigations within the Preliminary Decommissioning and Reclamation Plan and the Detailed Decommissioning and Reclamation Plan following immediately afterwards. Specifically, ▪ During Operations, progressive reclamation and revegetation would be undertaken using native vegetation species appropriate for the conditions. ▪ At Closure, native vegetation, comprised in part of drought-resistant species, would be used for reclamation. ▪ During Operations and Closure, adaptive management would be applied to certify reclamation objectives are met. NexGen confirms that discussions with the MN-S during the Project lifespan regarding Project mitigation measures are planned to occur through the Environmental Committee.
733.	MN-S (October 19, 2022)	22.6.2.2, p. 22-22 Risk Measurement and Evaluation	"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." It is not clear which vegetation species would be used for reclamation.	NexGen notes that the specific native, drought resistant species to be used for reclamation would be determined at a future date when end land use objectives are further defined. End land use objectives would be discussed with the primary Indigenous Groups through the Environmental Committees.

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734.	MN-S (October 19, 2022)	22.6.3.1, p. 22-23 Hazard Scenario and Risk Identification	"The Project would be fully contained the competent crystalline basement rocks." This sentence requires clarification.	NexGen notes that an error existed within the text referenced by the reviewer. This text will be edited in Final EIS Section 22.6.3.2 (Risk Measurement and Evaluation) to read "The Project would be fully contained within the competent crystalline basement rocks."
735.	MN-S (October 19, 2022)	22.6.3.2, p. 22-26 Risk Measurement and Evaluation	"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." The risk to employees is unclear from this risk measurement and evaluation	NexGen notes that, as stated in the text referenced by the reviewer, the overall risk of a major precipitation event causing a mine inflow would be low. Specific likelihood and consequence indices for the assessment of risk are presented in Draft EIS Section 22.4.3 (Risk Measurement).
736.	MN-S (October 19, 2022)	22.6.5.2, p. 22-33 Risk Measurement and Evaluation	TT-01: Tornado Damage It is not clear if the if the risk measurement and evaluation for tornado damage takes climate change into consideration.	NexGen confirms that effects from climate change were considered in the assessment of all weather-related hazards (Draft EIS Section 22.5 [Climate Change]),
737.	MN-S (October 19, 2022)	22A3, p. 5 Using the Results	"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)." 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.	NexGen notes that climate data would be monitored as part of the Environmental Protection Program. Should the MN-S express a desire during the Project lifespan, discussions regarding climate data and effects of the environment on the Project would occur through the Environmental Committee.
738.	MN-S (October 19, 2022)	22A4.1.1, p. 8 On-Site and Regional Stations	"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)." It is concerning that the analysis informing the climate change dataset summary and section 22 is based on substantial data gaps.	NexGen acknowledges that, due to the remoteness of the Project, the use of climate data from proxy stations did not meet the selection attributes for the Project (Draft EIS Appendix 22A [Climate Change Dataset Summary Report], Section 22A4.1.1). Therefore, reanalysis data were selected to represent the current climate conditions over the same period as the modelled baseline. The approach for the climate change dataset summary report followed practices identified in published data and information, technical journals, and articles, as well as professional judgment and experience (Draft EIS Appendix 22A, Section 22A7), which represents accepted practice.
739.	MN-S (October 19, 2022)	23.2, p. 23-5 Engagement and Communication	"… with the goal of disclosing information …" "... a grievance mechanism …" 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. "… Integrated Management System (IMS) Manual …" Need to provide review access to this manual. Reference to 23.5.2 is not sufficient.	NexGen notes that Draft EIS Section 23.5 (Engagement and Communication) provides a high-level summary of proposed engagement measures planned for the Project lifespan. More detailed information regarding future engagement activities is presented in Draft EIS Section 2.7 (Moving Forward). Future engagement would include mechanisms such as Joint Working Groups, Environmental Committees, in-person meetings, community information sessions, and workshops. NexGen further notes that inclusion of the Indigenous and Public Engagement Program and the Integrated Management System (IMS) within the EIS is outside of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. However, NexGen confirms that discussions with Indigenous Groups regarding monitoring and follow up are planned to occur through the Environmental Committees. Further information regarding the IMS would be included through the licensing process. Aspects of funding and Indigenous Group participation for the Project are defined in the Benefit Agreements and represent confidential information between NexGen and the primary Indigenous Groups. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
740.	MN-S (October 19, 2022)	23.2, p. 23-5 Engagement and Communication	"… Integrated Management System (IMS) Manual …" Need to provide review access to this manual. Reference to 23.5.2 is not sufficient.	NexGen notes that inclusion of the Integrated Management System (IMS) within the EIS is outside of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Further information regarding the IMS would be included through the licensing process. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.

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741.	MN-S (October 19, 2022)	23.3.2.2, p. 23-11 *Mitigation Measures*	"The mitigation measure effectiveness is categorized as high, medium, …" 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.	NexGen notes that mitigation measure ratings discussed in Draft EIS Section 23.3.2.2 (Mitigation Measures) are designed to inform the reader of the classifications presented in Draft EIS Appendix 23A (Summary of Project Environmental Design Features and Mitigation Measures). Therefore, NexGen maintains that the inclusion of this language in Draft EIS Section 23.3.2.2 is appropriate.
742.	MN-S (October 19, 2022)	23.4.1, p. 23-12 to 23-20 Environmental Management	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.	NexGen acknowledges the reviewer's comment and notes that inclusion of the Project management plans within the EIS is outside of the requirements of an EA of a designated project under the *Canadian Environmental Assessment Act, 2012*. Further information regarding management plans would be included through the licensing process. **References** *Canadian Environmental Assessment Act, 2012*. SC 2012, c 19, s 52. Repealed, 2019, c 28, s 9. Available at https://laws-lois.justice.gc.ca/eng/acts/C-15.21/20170622/P1TT3xt3.html.
743.	MN-S (October 19, 2022)	23.4.2, p. 23-17, 23-18 Socio-economic Management	This subsection describes the socio-economic management framework that is being developed for the Project. "NexGen is committed to continue engagement …" 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.	NexGen confirms that thorough engagement for the Project EA has been conducted, and would like to correct an error in the quote provided by the reviewer. Draft EIS Section 23.4.2 (Socio-Economic Management) states "NexGen is committed to continued engagement with local Indigenous Groups and communities…", which reflects NexGen's value of continuing engagement throughout the Project lifespan rather than use of the word "continue", which could infer continued engagement specific to the EA.
744.	MN-S (October 19, 2022)	23.4.2, p. 23-17, 23-18 Socio-economic Management	"The socio-economic framework will be enhanced through the establishment of formal Benefit Agreements …" 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. This introduces a lack of transparency to determine sufficiency of mitigation. There is no indication of a timeline for achieving socio-economic capacity and by when the framework will be developed.	NexGen notes that the details of the Benefit Agreements are confidential, though in general, the Benefit Agreements include commitments to establish processes for regular communication and information exchange between NexGen and each Indigenous Group, both within and outside the mandate of the Environmental Committees. The specific methods of communication are determined through collaboration between NexGen and the Indigenous Group, and will occur throughout the Project lifespan.
745.	MN-S (October 19, 2022)	5.2, p. 36 to 43 Métis Nation – Saskatchewan	Table 5 Summary of Key Engagement Activities with the Métis Nation – Saskatchewan 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).	NexGen acknowledges the reviewer's comment and refers the reviewer to NexGen's responses to the MN-S public comments regarding tables in Draft EIS Section 2 (Indigenous, Regulatory, and Public Engagement).
746.	MN-S (October 19, 2022)	6.2.2, p. 65 Métis Nation – Saskatchewan	Table 12 Summary of Issues Identified by the Métis Nation – Saskatchewan "Proper use of Métis Knowledge while protecting intellectual property rights and confidentiality" 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.	NexGen notes that the detailed definition of Indigenous Knowledge is provided in Draft EIS Section 3.4.1 (Defining Indigenous Knowledge). NexGen also notes that the definition of Indigenous Knowledge used in the EA aligns with feedback from local priority area Indigenous Groups, including the specification that Indigenous Knowledge must be sanctioned by Elders or Indigenous Groups.
747.	MN-S (October 19, 2022)	TSDIB, p. 12 to 24 Indigenous Engagement Activities	Table B-2 Métis Nation – Saskatchewan All content Table B-2 appears to be a repeat of Table 5. Repeating content such as this does not facilitate review.	NexGen notes that while there are similarities between Table 5 in Section 5.2 of Draft EIS TSX I (Indigenous Engagement Report) and Table B-2 of Appendix B of TSD I, these tables do not contain identical information. The former provides a summary of key engagement activities conducted between NexGen and the MN-S while the latter provides a detailed account of engagement activities conducted between NexGen and the MN-S. These details are provided for reviewers in Section 6 of Draft EIS TSD I.
748.	MN-S (October 19, 2022)	TSDIC, p. 5 to 8 Summary of Issues Identified by Indigenous Groups	Table C-2 Summary of Issues Identified by Métis Nation – Saskatchewan All content Comments made on tables in EIS Section 2 Indigenous, Regulatory, and Public Engagement would also apply to tables in this TSD.	NexGen acknowledges the reviewer's comment and refers the reviewer to NexGen's responses to the MN-S public comments regarding tables in Draft EIS Section 2 (Indigenous, Regulatory, and Public Engagement).
749.	MN-S (October 19, 2022)	9.3.2, p. 115–116 Community and Chemistry Survey	Black spots on fish not explained The Black spots identified during baseline work, on various fish species, at several locations, are not explained, and there are no photos.	NexGen confirms that black spot disease is a naturally occurring disease in fish. Black spot disease is not a cause for concern as it has no effect on humans who handle or consume fish with this condition. Black spot disease is generally caused by larvae flatworm parasites that are encysted in the skin. Therefore, for the fish surveys performed in the Aquatic Study Area, the presence of black spots was recorded as an abnormality on the skin tissue of the fish.

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			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. See also 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. Speculation – naturally occurring condition of fish having black spots likely caused by trematodes.[19] 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.	
750.	MN-S (October 19, 2022)	4.6, p. 8	"Twenty-eight plant species or groups of plant species plant species [*sic*] were identified as traditional plant species used for food, medicinal, ceremonial, or other purposes within the IKTLU Studies, of which 34 species or genera [*sic*] potentially identified traditional use plant species were observed during the baseline surveys." The number of species identified as traditional plant species is less than the number of traditional use plant species observed during baseline surveys. 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 extensive exploration activities. Therefore, the baseline conditions represent a chronically disturbed area.	NexGen confirms that the list of 28 species or groups of plant species identified in IKTLU studies was used to generate a list of species or genera based on scientific names. As examples, the traditional plant group 'birch' has 4 potential species (i.e., paper birch, dwarf birch, river birch, and swamp birch) that could occur in the local study area, all of which were observed during baseline studies. In contrast, the traditional plant species 'blueberry' is a single scientific species, and was also observed in the LSA. Therefore, the number of individual species observed does not necessarily equal the number of species noted in the IKTLU studies (Draft EIS Section 13.3.4 [Traditional Use Plant Species], Table 13.3-5). NexGen acknowledges that the baseline and assessment study areas do not necessarily align; however, this is common in EA practice. Baseline survey methods followed provincial survey standards for the study areas, and for rare plants, the intensity of surveys focused on the initial anticipated Project footprint. The assessment included consideration of multiple study areas: a site study area, or Project footprint; a maximum disturbance area approximately four times larger than the proposed Project footprint to allow for a conservative assessment should the future Project footprint be modified; a local study area; and a regional study area. To address potential uncertainties associated with the differences between baseline and assessment study areas, conservative assumptions in air, surface water quantity and quality, and exposure toxicology models as well as an overall precautionary approach to the vegetation assessment were applied. Therefore, there is low uncertainty in the assessment of traditional plants. NexGen disagrees with the reviewer that baseline information represents conditions in a chronically disturbed area as a result of exploration activities. As noted in Draft EIS Section 13.3 (Existing Conditions), only 104.7 ha, or 3.7% of the local study area has been affected by anthropogenic disturbance. Overall, NexGen is confident that the baseline information collected is representative of existing conditions in regional area of the Project.
751.	MN-S (October 19, 2022)	2.1, p. 10 Study Area Selection	Descriptions of the Local Study Area (LSA) and Regional Study Area (RSA) are provided in terms of effects on wildlife. Comments required on how the LSA, and RSA were designed to consider potential Project effects on vegetation	NexGen notes that the local study area (LSA) and regional study area (RSA) for vegetation and wildlife were aligned in consideration of the effects pathway from vegetation to wildlife habitat. Section 2.1 of Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]) states that "[b]oth 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." Table 2.2-1 of Section 2.2 of Draft EIS Annex VII.1 then describes the ecozones, ecoregions, and landscape areas comprising the LSA and RSA.
752.	MN-S (October 19, 2022)	2.2.2, p. 11 Landforms	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). Report lacks information on this discrepancy and the suitability of the RSA for describing regional vegetation.	NexGen notes that Section 2.2.2 of Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]) provides a general description of the landforms found in the broad landscape surrounding the proposed Project according to Acton et al. (1998), while the information provided in Section 5.3.2 of Draft EIS Annex VII.1 is based on specific baseline field sampling and ecosite mapping conducted for the Project. While the former may be representative of the broader region, the latter is more representative of the area closer to the proposed Project. **References** Acton, D.F., Padbury, G.A., Stushnoff, C.T., Gallagher, L., Gauthier, D., Kelly, L., Radenbaugh, T., and Thorpe, J. 1998. The ecoregions of Saskatchewan. Saskatchewan Environment and Resource Management, Canadian Plains Research Center, University of Regina, Regina, Sask.
753.	MN-S (October 19, 2022)	2.2.2, p. 11 Landforms	"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.	NexGen confirms that baseline soil investigations were completed for the Project, which are described in Draft EIS Annex VI (Terrain and Soils Baseline Report) and Draft EIS Section 12 (Terrain and Soils). In total, 118 soil inspection sites were surveyed during the 2018 and 2019 field programs. Terrain and soil data and samples were used for soil classification, mapping descriptions, and chemical analysis.
754.	MN-S (October 19, 2022)	5.2.1, p. 21 Predictive Ecosite Map	Lacking information on the data collected at each of the ecosite field sampling/ground truthing sites.	NexGen confirms that the data collected at ground control points are limited to ecosite information. More detailed information on characteristics such as structural components and species diversity, is provided within Section 6.0 of Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]). Where relevant, qualitative soil characteristic

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

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			What is the difference between a "vegetation/ecosite characterization survey" and "ground control points"? Lacking information on how soil characteristics—including characterization of moisture and nutrient regimes—were incorporated within Project-specific ecosite mapping and field verification.	information is provided within the first page of the ecosite fact sheets presented in Section 6.3 of Draft EIS Annex VII.1. More detailed information regarding soil characteristics is provided in Section 5.2 of Draft EIS Section VI (Terrain and Soils Baseline Report).
755.	MN-S (October 19, 2022)	5.2.2, p. 21 Interpreted Ecosite Map	Lacking information on map scaling. 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?	NexGen confirms that the mapping scale is a minimum polygon size of 0.5 ha for wetland ecosystems and 1 ha for upland ecosystems, with the majority of polygons (i.e., 1,046/1,366 – 76.5%) being larger than 0.5 ha. However, for some portions of the study area, the scale was enhanced by mapping visually different polygons to a finer scale. With respect to field verification, in total, there were 1,046 polygons larger than 0.5 ha. Of these, 131 were field verified (12.5%).
756.	MN-S (October 19, 2022)	5.2.2, p. 22 Interpreted Ecosite Map	"The regenerating land cover types less than 40 years old that did not match any of the ecosites described by McLaughlan et al. (2010) …". 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). 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.	NexGen notes that, as stated in Section 5.2.2 of Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]), land cover types less than 40 years old that did not match any of the ecosites described by McLaughlan et al. (2010) followed the methods outlined by Skatter et al. (2017). NexGen confirms that supplemental information for interpretation of the ecosites such as soil moisture and nutrient regimes is included under the 'Ecological Interpretation' section of the ecosite fact sheets within Section 6.3 of Draft EIS Annex VII.1. **References** McLaughlan, M.S., R.A. Wright and R.D. Jiricka. 2010. Field guide to the Ecosites of Saskatchewan's provincial forests. Saskatchewan Ministry of Environment, Forest Service. Prince Albert, Saskatchewan. 338pp. Skatter, H.G., M.L. Charlebois, S. Eftestøl, D. Tsegaye, J.E. Colman, J.L. Kansas, K. Flydal, and B. Balicki. 2017. Living in a burned landscape: Woodland caribou use of residual patches for calving in a high fire/low anthropogenic Boreal Shield of Saskatchewan. Canadian Journal of Zoology. 95: 975-984.
757.	MN-S (October 19, 2022)	5.3.1, p. 24 Predictive Ecosite Map	"The accuracy level is due to McLaughlan et al. (2010) not describing forest types under 40 years of age in their ecosite classification system". 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). 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.	NexGen notes that, as stated in Section 5.3.1 of Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]), "[t]he majority (94.3%) of the RSA [regional study area] is mapped as having burned within the last 40 years . . ., and are therefore covered by regenerating forests that are not described by the McLaughlan et al. (2010)". For this reason, an interpreted ecosite map was created to better represent local ecosystems. NexGen confirms that supplemental information for interpretation of the ecosites such as soil moisture and nutrient regimes is included under the 'Ecological Interpretation' section of the ecosite fact sheets within Section 6.3 of Draft EIS Annex VII.1. **References** McLaughlan, M.S., R.A. Wright and R.D. Jiricka. 2010. Field guide to the Ecosites of Saskatchewan's provincial forests. Saskatchewan Ministry of Environment, Forest Service. Prince Albert, Saskatchewan. 338pp.
758.	MN-S (October 19, 2022)	5.3.2, p. 26 Interpreted Ecosite Map	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. Unknown if regenerating fens, marshes or other wetland classes were mapped within the RSA.	NexGen notes that regenerating wetland ecosites in the RSA are limited to regenerating low-shrub (<1 m) and tall-shrub (1-5 m) bogs (Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping], Section 5.3.1, Table 5.3-1).
759.	MN-S (October 19, 2022)	6.3, p. 72	It is noted that lesser duckweed (*Lemna minor*) was identified as a provincially listed species observed within ecosite BP25. This species was omitted from the EIS.	NexGen acknowledges that *Lemna minor* (lesser duckweed) was recorded as observed in Section 6.3 (Results) of Draft EIS Annex VII.1 (Vegetation Baseline Report 1 [Mapping]), and excluded in Draft EIS Section 13.3.2.3 (Ecosystem Condition). Taxonomic changes to the *Lemna* genus have resulted in most, if not all, *Lemna minor* observations in Saskatchewan to be now recognized as *Lemna turionifera* (common duckweed), a species that is not provincially tracked (Harms et al. 2018; SKCDC 2023). *Lemna minor* has not been verified as occurring in the province (Harms et al. 2018); therefore, the species recorded in Draft EIS Annex VII.1 is assumed to be *Lemna turionifera*. NexGen will clarify the taxonomic changes and the omission of *Lemna minor* in Final EIS Section 13.3.2.3 (Ecosystem Condition) and Final EIS Section 13.3.3.3 (Ecosystem Condition). **References**

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				Harms VL, Leighton AL, Vetter MA. 2018. Rushes, Bulrushes & Pondweeds plus the remaining Monocots of Saskatchewan. Flora of Saskatchewan Association. Fascicle 6. Regina, Saskatchewan. SKCDC (Saskatchewan Conservation Data Centre). 2023. Taxa list: vascular plants. Accessed March 2023. Available at http://biodiversity.sk.ca/TaxaList/sk-taxa-vascularplant-all.pdf.
760.	MN-S (October 19, 2022)	1.2.2, p. 5 Vegetation Study Area	"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)." Please comment on the rationale for the size and shape of these study areas in relation to potential Project effects on vegetation.	As stated in Section 1.2.2 of Draft EIS Annex VII.2 (Vegetation Baseline Report 2 [Inventory, Rare Plants, and Wetlands)], field surveys for vegetation and rare plants were completed within specific baseline study areas, which were defined according to knowledge of ore deposit location, preliminary Project site layout, and provincial requirements. Vegetation and rare plant surveys within the baseline site study area was centred on the preliminary mine site layout and was anticipated to include most site-specific direct and indirect effects from disturbance to soils and vegetation. The local study area was intended to provide a broader understanding of vegetation in the Patterson Lake area and support the assessment on the terrestrial environment.
761.	MN-S (October 19, 2022)	1.2.2, p. 5 Vegetation Study Area	"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)." 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.	NexGen notes that the field programs conducted to support the characterization of existing conditions for vegetation described in Draft EIS Annex VII.2 (Vegetation Baseline Report 2 [Inventory, Rare Plants, and Wetlands]) were primarily conducted in 2018. These surveys were based on an earlier version of the Project footprint, which included the proposed use of the existing access road with no widening necessary. Following a Project footprint update, additional transects were completed in 2021 to make sure that appropriate information was collected with respect to the existing conditions for vegetation. The results from the 2021 survey were not available when the Draft EIS was prepared; however, both 2018 and 2021 results were submitted to the Fish, Wildlife and Lands Branch via the Government of Saskatchewan's standardized survey data submission protocols (Species Detection Loadform). No additional provincially tracked nor federally listed rare plant species or weeds listed under *The Weed Control Act* (GS 2010) were identified in the 2021 survey and there is no change required for the Final EIS. NexGen confirms that the 2018 and 2021 terrestrial and aquatic rare plant surveys followed the ENV's Species Detection Survey Protocol: 20.0 Rare Vascular Plant, April 2017 Update (ENV 2017) to verify sufficient effort was devoted towards detecting rare plant species. NexGen also confirms that the information collected during the 2021 field program does not change the existing conditions characterization described in Draft EIS Annex VII.2. **References** ENV (Saskatchewan Ministry of Environment). 2017. Species detection survey protocol: 20.0 rare vascular plant. April 2017 Update. Fish, Wildlife and Lands Branch. Regina, Saskatchewan. GS (Government of Saskatchewan). 2010. *The Weed Control Act*, S.S. 2010, c. W-11.1. Accessed November 2018. Available at http://www.publications.gov.sk.ca/freelaw/documents/English/Statutes/Statutes/W11-1.pdf.
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?	NexGen confirms that Aquatic rare plant surveys were conducted at four survey locations in Patterson Lake for proposed Project infrastructure. Each location had a rectangular grid of sampling points, with the points extending from the shoreline outwards into the lake, ending at the maximum depth most likely to support aquatic plants. A total of 103 sampling points were surveyed within these four survey locations (Draft EIS Annex VII.2 [Vegetation Baseline Report 2 [Inventory, Rare Plants, and Wetlands], Figure 3.2-2). The sampling grids had at least four sampling points per hectare of the littoral zones, with points spaced 25 m to 70 m apart, as per the ENV guidelines (ENV 2017). The number of points per sampling grid was dependent on the size of the littoral zones, with larger zones having more sampling points. At each sampling point, the presence and identification of any existing submerged, floating-leaved, and emergent vegetation was recorded. **References** ENV (Saskatchewan Ministry of Environment). 2017. Species detection survey protocol: 20.0 rare vascular plant. April 2017 Update. Fish, Wildlife and Lands Branch. Regina, Saskatchewan.
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?	NexGen confirms that specific surveys for provincially tracked non-vascular plants were not conducted. As noted in Draft EIS Section 13.2.2.1 (Valued Components), provincial databases and federal assessment and recovery reports have not identified Committee on the Status of Endangered Wildlife in Canada or *Species at Risk Act* listed plant species or critical habitat, including for lichen, in the EIS regional study area.

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				NexGen notes that conducting extensive surveys for non-vascular plants would not change the assessment conclusions as direct removal of lichen habitat is not anticipated and the assessment included effects from air and dust emissions on mosses and lichens.
764.	MN-S (October 19, 2022)	4.2, p. 25 Methods	"A legend defining the boreal wetland classifications and their sub-categories is presented in Appendix A, Table 5." 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". 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).	NexGen notes that the wetland ecosites found in the site study area and parts of the local study area could not be aligned with the Canadian Wetland Classification System. Therefore, the classification was based on the Smith et al. (2007) and McLaughan et al. (2010) classification systems. McLaughlan et al. (2010) was developed specifically for classifying ecosites within Saskatchewan's provincial forests. Ultimately, based on the methods used, no identified wetlands aligned with the shallow open water criteria noted by the reviewer. **References** McLaughlan, M.S., Wright, R.A., and R.D. Jiricka. 2010. Field guide to the ecosites of Saskatchewan's provincial forests. Saskatchewan Ministry of Environment, Forest Service. Prince Albert, Saskatchewan. Smith, K.B., C.E. Smith, S.F. Forest, and A.J. Richard. 2007. A field guide to the wetlands of the Boreal Plains ecozone of Canada. Ducks Unlimited Canada, Western Boreal Office: Edmonton, Alberta. 98 pp.
765.	MN-S (October 19, 2022)	2.0, p. 10 Study Objectives	Section indicates that one of the objectives of the wildlife baseline studies was to "inventory wildlife occurrence". 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? 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? No actual Project components nor existing access are shown on Figure 3.1 on page 11. "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." 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.	NexGen confirms that sampling for wildlife and wildlife sign, which included considerations of habitat use and availability, occurred across different habitat types and seasons and was used to support the development of habitat suitability models used in the assessment (Draft EIS Appendix 14B [Wildlife Habitat Models]) and habitat associations described in Draft EIS Section 14.3 (Existing Conditions). NexGen further confirms that the baseline local study area includes the Project footprint, the access road from Highway 955 to the anticipated mine site, and potential on-site borrow sources. The fibre optic line routing south of the access road was not included within the local study area; however, no new disturbance would be required as the route would exist within the existing right-of-way. NexGen notes that the caribou regional study area was based on the approximate home range of caribou and, in addition to the other study areas, was used to support a more complete understanding of the magnitude, geographic extent, duration, and context of potential Project effects on woodland caribou. A further rationale for woodland caribou study areas is provided in Draft EIS Section 14.2.3 (Spatial Boundaries).
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.	NexGen confirms that winter track count surveys were completed across several habitat types available within the RSA. One type of survey sampled existing and proposed roads and trails, a second type of survey used triangles distributed randomly across the RSA, which sampled several of the available ecosites in the RSA, and a third type of survey sampled riparian habitat (Draft EIS Annex VIII.1 [Wildlife Baseline Report 1 (Mammals, Waterfowl, and Raptors)], Section 4.2).
767.	MN-S (October 19, 2022)	4.3, p. 16 Results	Figure 4.3-1 Winter Tracking Survey Transects The figure shows only portions of two triangle surveys were completed in the CRSA, at the border of the RSA.	NexGen confirms that Figure 4.3-1 of Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]) shows two triangle transects located partially or almost entirely outside the regional study area but within the caribou regional study area.
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.	NexGen acknowledges the reviewer's comment.
769.	MN-S (October 19, 2022)	6.3.3, p. 37 *Woody Browse and Lichen Availability*	Relative to terrestrial and arboreal lichens, and woody browse, the text uses terms such as "area of the Project" and "Project Area".	NexGen appreciates the comment and confirms that the terms 'area of the Project' and 'Project area' are synonymous.
770.	MN-S (October 19, 2022)	7.3.1, p. 43, 44 *Trapping/Inventory and Habitat Characterization*	Figure 7.3-1 Small Mammal Trapping Transects Table 7.3-1 Small Mammal Captures per Transect in the LSA and Reference Sites – September 2018 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.	NexGen acknowledges the reviewer's comment and agrees that not all transect numbers were included within Figure 7.3-1 of Section 7.3.1 of Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]). Figure 7.3-1 of Section 7.3.1 of Final EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]) will be updated to show all transect numbers.

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771.	MN-S (October 19, 2022)	8.3, p. 51 Results	Figure 8.3-1 Semi-aquatic Furbearer Shoreline Survey Locations Table 8.3-1: Semi-Aquatic Furbearer Shoreline Survey Observations–September 2018 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.	NexGen acknowledges the reviewer's comment and agrees that not all semi-aquatic furbearer survey transects were labelled within Figure 8.3-1 of Section 8.3 of Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]). Figure 8.3-1 of Section 8.3 of Final EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]) will be updated to label all semi-aquatic furbearer survey transects.
772.	MN-S (October 19, 2022)	9.2, p. 53 Methods	"… areas were surveyed … at the maximum altitude that allowed for identification of avian species …" The section lacks other survey details.	NexGen confirms that details for the aerial waterfowl and raptor stick nest survey are provided in Section 9.2 of Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]), where it is stated that the survey design and methodology is based on the Government of British Columbia *Inventory Methods for Waterfowl and Allied Species: Loons, Grebes, Swans, Geese, Ducks, American Coot and Sandhill Crane* (1999). **References** Government of British Columbia. 1999. Inventory Methods for Waterfowl and Allied Species: Loons, Grebes, Swans, Geese, Ducks, American Coot and Sandhill Crane. Standards for Components of British Columbia's Biodiversity No. 18. Ministry of Environment, Lands and Parks. Resource Inventory Branch Terrestrial Ecosystem Task Force. Victoria. British Columbia. 99 pp.
773.	MN-S (October 19, 2022)	1.2.2, p. 6 Wildlife Study Area	The study areas including birds in this report, are different from the study areas delineated in *Annex VIII.1 Wildlife Baseline Report 1 (Mammals, Waterfowl, and Raptors), Omnia 2018* for the study of waterfowl and raptors	NexGen notes that baseline studies completed in Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]) focused on different wildlife species/groups than Draft EIS Annex VIII.2 (Wildlife Baseline Report 2 [Amphibians, Birds, and Bats]). Therefore, not all species are discussed in both reports.
774.	MN-S (October 19, 2022)	1.2.2, p. 8 Wildlife Study Area	Figure 1.2-1: Overview of the Site Study Area and Local Study Area Sampled for Wildlife Baseline Studies, 2018 It appears that the Site Study Area (SSA) and Local Study Are (LSA) do not include a portion of the access into the site.	NexGen notes that the field programs conducted to support the characterization of existing conditions for wildlife described in Draft EIS Annex VIII.2 (Wildlife Baseline Report 2 [Amphibians, Birds, and Bats]) were primarily conducted in 2018. These surveys were based on an earlier version of the Project footprint, which included the proposed use of the existing access road with no widening necessary. A review of baseline information was completed following a Project footprint update in 2021; this review determined that the baseline field information collected in 2018 was suitable and no further studies were required to characterize existing conditions. A further explanation of baseline and assessment study areas may be found in Draft EIS Section 14.2.3 (Spatial Boundaries).
775.	MN-S (October 19, 2022)	2.3, p. 9 Methods	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).	NexGen notes that baseline studies completed in Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors]) focused on different wildlife species/groups than Draft EIS Annex VIII.2 (Wildlife Baseline Report 2 [Amphibians, Birds, and Bats]). Therefore, not all species are discussed in both reports.
776.	MN-S (October 19, 2022)	2.3, p. 9 Results	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." – Is this consistent with what is reported for caribou habitat in the Omnia (2018) report, and ultimately in the environmental assessment?	NexGen confirms that the woodland caribou habitat suitability is primarily based on Government of Saskatchewan habitat mapping for the SK2 West Caribou Administration Unit and is presented consistently between Draft EIS Annex VIII.1 (Wildlife Baseline Report 1 [Mammals, Waterfowl, and Raptors and Draft EIS Annex VIII.2 (Wildlife Baseline Report 2 [Amphibians, Birds, and Bats]).
777.	MN-S (October 19, 2022)	2.4, p. 10 Existing Information	Several references to "the area of the Project" are made with no definition to provide context. As no RSA was delineated for this report, please provide a definition that puts it into context with the Project footprint, SSA and LSA.	NexGen clarifies that for Draft EIS Annex VIII.2 (Wildlife Baseline Report 2 [Amphibians, Birds, and Bats]), the term "area of the Project" was used to indicate the region around the proposed development as an RSA had not yet been defined for the environmental assessment.
778.	MN-S (October 19, 2022)	5.3, p. 27 Results	Table 5.3-1 Results of the Common Nighthawk Surveys, June 2018 Indicates the numbers of common nighthawks detected. Clarification on the number of nighthawks reported for the ARUs and whether the numbers represent the number of calls recorded or were individual birds.	NexGen confirms that the Automated Recording Unit (ARU) data represents species occurrences (i.e., confirmed calls), but cannot determine the number of individuals in an area responsible for producing the calls. High rates of calling common nighthawk in a given area collected by an ARU indicates that an area is consistently used by common nighthawks, but cannot be used as an estimate of the number of individuals.

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779.	MN-S (October 19, 2022)	8.2, p. 40 Methods	1. "Collection and analysis of recordings was conducted in accordance with … the Wildlife Guidelines for Alberta Wind Energy Projects (GA 2011)." Explanation as to why the more recent and up to date *Wildlife Directive for Alberta Wind Energy Projects, 2018* was not used,	NexGen acknowledges the reviewer's comment and confirms that the methods described in the *Wildlife Directive for Alberta Wind Energy Projects* (Government of Alberta 2018) were also used for bat surveys. Section 8.2 of Final EIS Annex VIII.2 (Wildlife Baseline Report 2 [Amphibians, Birds, and Bats]) will be updated to include the reference to the Government of Alberta (2018). **References** Government of Alberta. 2018. Wildlife Directive for Alberta Wind Energy Projects. Accessed January 2024. Available at https://open.alberta.ca/publications/wildlife-2016-no-6.
780.	MN-S (October 19, 2022)	8.2, p. 40 Methods	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. The Alberta protocol suggest a paired sampling of a raised microphone at 30 m height with a lower recorder height.	NexGen notes that installing bat detectors at heights of 30 m was not practical as the logistics in the area of the proposed Project differ from those observed in large wind projects. Specifically, structures with heights of 30 m or greater are not available for the Project (note: tree heights in the area of the Project tend to be under 10 m) whereas these structures may be common for large wind projects. Installing bat detectors at a height of 30 m in the area of the Project would require complex pully systems, which were deemed unfeasible and unsafe. NexGen is confident that the methods used for bat detection meet the requirements for baseline data collection.
781.	MN-S (October 19, 2022)	8.2, p. 42 Methods	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]	NexGen notes that the Project footprint at the time of the baseline studies was conceptual and was revised as the Project design progressed. The Project footprint provided in the EIS represents the current Project footprint and was used for the assessments of effects to people and the environment.
782.	MN-S (October 19, 2022)	1.1, p. 4 Study Objectives	"The objective of the 2020 surveys was to supplement baseline data, following recommendations in … the Wildlife Guidelines for Alberta Wind Energy Projects (GA 2011)." Was the *Wildlife Directive for Alberta Wind Energy Projects, 2018* reviewed at this time as well?	NexGen acknowledges the reviewer's comment and confirms that the approach for the 2020 baseline surveys followed recommendations described in the *Wildlife Guidelines for Alberta Wind Energy Projects* and the *Wildlife Directive for Alberta Wind and Energy Projects* (Government of Alberta 2011, 2018). Section 1.1 of Final EIS Annex VIII.3 (Wildlife Baseline Report 3 [Bird Migration and Bats]) will be updated to include the reference to the Government of Alberta (2018). **References** Government of Alberta. 2011. Wildlife Guidelines for Alberta Wind Energy Projects. Wildlife Land Use Guidelines. Fish & Wildlife Division Sustainable Resources Development. 19 September 2011. Government of Alberta. 2018. Wildlife Directive for Alberta Wind Energy Projects. Accessed January 2024. Available at https://open.alberta.ca/publications/wildlife-2016-no-6.
783.	MN-S (October 19, 2022)	2.2, p. 8 Study Area	"Passage migration surveys followed standard guidance and methods for migration surveys for renewable wind energy projects …" Section makes no mention of the *Bird Migration Survey Protocol*[21] issued by the Government of Alberta in January 2020, which is cited later. Please comment.	NexGen notes that the phrase referenced by the reviewer directly references regulatory guidance methods used that apply to renewable wind energy projects while the Bird Migration Survey Protocol cited later on the page refers to general regulatory protocols utilized. Therefore, the Bird Migration Survey Protocol is presented in the correct context.
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.	NexGen notes that habitat within the proposed Project footprint is largely homogenous, with jack pine being dominant on the landscape; therefore, many of the bat detection locations were within similar habitat. The majority of bat detectors were placed in locations expected to be directly affected by the proposed Project footprint, though NexGen confirms that the 2018 baseline survey also included two bat detection locations near large water bodies: adjacent to Patterson Lake South Arm, and Forrest Lake.
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.	As discussed in Draft EIS Section 3.6 (Incorporation of Indigenous and Local Knowledge), Indigenous Knowledge was valued equally to Western science in the Draft EIS. The term 'incorporation' is commonly used to describe the process of merging or combining information, rather than implying a secondary position.

[20] Canada North Environmental Services (2021). *Annex VIII.3: Wildlife Baseline Report 3 (Bird Migration and Bats).*, p. 39.
[21] Government of Alberta (2020). *Bird Migration Survey Protocol*. aep-bird-migration-protocol-2020.pdf (alberta.ca)

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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.	NexGen confirms that the text referenced by the reviewer is consistent with text in the Draft EIS describing the communities in the local priority area and that further information regarding the Indigenous Groups that were included in the scope of the report is provided in Section 3.2 of Draft EIS Annex X (Socio-economic Baseline Report).
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.	NexGen notes that Section 4.2 of Draft EIS Annex X (Socio-economic Baseline Report) focuses on secondary data collection (i.e., public information) and the other LSA communities are smaller LSA communities (i.e., Bear Creek, Descharme Lake, Garson Lake, Black Point, Michel Village, and St. George's Hill) where public information is limited or does not exist. Therefore, for certain statistics that rely on public information (e.g., census data), sufficient data was unavailable. The text quoted by the reviewer is not in reference to potential errors made by the author.
788.	MN-S (October 19, 2022)	4.3, p. 12, Primary Data Collection	"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)." 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.	NexGen notes that Appendix A of the Study Agreement signed between NexGen and the MN-S explicitly describes the protocols regarding the sharing, use, and verification of Indigenous Knowledge, all of which have been precisely followed during the EA process. The Study Agreements with primary Indigenous Groups are discussed in Section 4.3.1 of Draft EIS Annex X (Socio-economic Baseline Report).
789.	MN-S (October 19, 2022)	4.3.3, p. 14, Joint Working Groups	"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." 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.	NexGen notes that Appendix A of the Study Agreement signed between NexGen and the MN-S explicitly describes the protocols regarding the sharing, use, and verification of Indigenous Knowledge, all of which have been precisely followed during the EA process. The Study Agreements with primary Indigenous Groups are discussed in Section 4.3.1 of Draft EIS Annex X (Socio-economic Baseline Report).
790.	MN-S (October 19, 2022)	4.4, p. 18, Quality Assurance / Quality Control	"Quality assurance and quality control measures were employed throughout the data collection, analysis, and reporting process." The QA/QC described supports confidence that the data received is consistent, however this is not equivalent to verifying outcomes with potentially affected Peoples.	NexGen notes that Appendix A of the Study Agreement signed between NexGen and the MN-S explicitly describes the protocols regarding the sharing, use, and verification of Indigenous Knowledge, all of which have been precisely followed during the EA process. The Study Agreements with primary Indigenous Groups are discussed in Section 4.3.1 of Draft EIS Annex X (Socio-economic Baseline Report).
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.	NexGen notes that the focus of Section 5.1.1.4.7 of Draft EIS Annex X (Socio-economic Baseline Report) is towards the residential school system for communities in the area of the Project; therefore, no changes to Section 5.1.1.4.7 of Final EIS Annex X (Socio-economic Baseline Report) are required.
792.	MN-S (October 19, 2022)	5.2.2, p. 34	First Nations "The MLTC is the tribal council for nine First Nations, including the CRDN, BNDN, and BRDN." This is the first usage of MLTC in this section of content. Spell out.	NexGen noted that the Meadow Lake Tribal Council is spelled out in Section 4.3.4 of Draft EIS Annex X (Socio-economic Baseline Report). Therefore, no changes are required to Section 5.2.2 of Final EIS Annex X (Socio-economic Baseline Report).
793.	MN-S (October 19, 2022)	6.2.1.3, p. 59, Major Capital Projects	"Major proposed projects in the RSA include the following …: Dennison Mines Corp. … the proponent is expected to enter the construction phase in 2022 … *Rabbit Lake Tailings Management Facility Expansion Project* … in February 2022 announced that it would restart operations amid uranium price gains ... *Highway 914 All-Weather Road* ... The project is expected to take approximately three years to complete and will connect Highway 905 and 914 …" 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]	As stated in Draft EIS Section 6.5.3 (Reasonably Foreseeable Development Case), reasonably foreseeable developments (RFDs) are defined as projects and activities that fit any of the first three and both of the last two criteria from the list below: ▪ are currently under regulatory review or have officially entered a formal regulatory application process; ▪ have been publicly disclosed by other proponents; ▪ may be induced by the Project; ▪ have the potential to change the Project or the effects predictions; and ▪ occur in the spatial assessment boundary defined by the VCs and intermediate components. For the economy and community well-being valued components (VCs), the assessment endpoints, which represent the key properties of VCs that should be protected, were as follows: ▪ Economy (Draft EIS Section 18.2.2.3 [Assessment Endpoints]): o Enhancing the participation of local Indigenous and non-Indigenous individuals in employment, income, education, and training opportunities o Enhancing Indigenous and locally owned businesses opportunities

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

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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
				o Enhancing government revenue o Maintaining opportunities to participate in the traditional economy ▪ Community Well-Being (Draft EIS Section 19.2.2.3 [Assessment Endpoints]): o Maintenance of local community well-being NexGen notes that due to the distances of the Denison, Rabbit Lake, and Highway 914 projects from the Project and local study area communities, it was determined that these projects would not have the potential to affect the assessment endpoints for either the economy or community well-being VCs. As a result, these projects would not have the potential to change the Project or the effects predictions, which is a required criterion to be considered as an RFD in the EA. Therefore, the Denison, Rabbit Lake, and Highway 914 projects were not included in RFD Case assessments.
794.	MN-S (October 19, 2022)	6.3.2.10.2.1, p. 93, *Highway 155*	"Updated weight restrictions for specific vehicles travelling on primary or secondary highways can be found by contacting the Saskatchewan Ministry of Highways and Infrastructure ..." 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.	NexGen notes that the statement quoted by the reviewer is referencing weight restrictions that may occur at different times of the year and vary on a year-to-year basis (e.g., reduced weight limits during spring thaw). Under standard conditions on Highway 955, Section 6.3.2.10.2.1 of Draft EIS Annex X (Socio-economic Baseline Report) states that "trucks with a maximum gross vehicle weight of 61,800 kg and a nine-axle configuration (i.e., tridem drive truck tractor B train combination) are allowed to operate over this highway".
795.	MN-S (October 19, 2022)	6.4.1.2.2, p. 98, La Loche	"Participation in the labour force is higher for males (i.e., 36.7%) than females (i.e., 30.4%) … 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." It is unclear how males can be both higher participants in the workforce and higher in terms of unemployment. Population numbers in La Loche are generally quite similar with a total La Loche[23] population of 2370 (in 2016) with a composition of 47.9% males and 52.1% females.	NexGen notes that participation rate (Statistics Canada 2021b) is defined as the labour force (comprised of those who are employed and unemployed combined; Statistics Canada 2021a) expressed as a percentage of the working age population. Therefore, it is possible to have both a higher participation rate (made up of those who are employed and those who are looking for work) and a higher unemployment rate for males compared to females. **References** Statistics Canada. 2021a. Labour Force. Accessed May 2024. Available at https://www12.statcan.gc.ca/census-recensement/2021/ref/dict/az/Definition-eng.cfm?ID=pop056. Statistics Canada. 2021b. Participation Rate. Accessed May 2024. Available at: https://www12.statcan.gc.ca/census-recensement/2021/ref/dict/az/Definition-eng.cfm?ID=pop108.
796.	MN-S (October 19, 2022)	6.6.1.2.5, p. 120, Buffalo Narrows	"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%)." 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.	NexGen acknowledges the reviewer's comment and notes that Statistics Canada collects data for the population aged 15 and above to align with employment data, which uses the same age category. Therefore, the criteria to derive the values quoted by the reviewer are consistent for Buffalo Narrows, the Indigenous provincial average, and the regional study area average. NexGen further notes that using a different metric from Statistics Canada (highest level of education for those aged 25 to 64 years), provides a similar result. In 2016, 16.8% of the Buffalo Narrows population aged 25 to 64 years has completed high school as their highest level of education (Statistics Canada 2017). **References** Statistics Canada. 2017. 2016 Census Profile. Accessed May 2024. Available at https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/index.cfm?Lang=E.
797.	MN-S (October 19, 2022)	7.0, p. 179 to 180, Education and Training	"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 ..." 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.	NexGen will remove the sentence noted by the reviewer in Section 7.1.2 of Draft EIS Annex X (Socio-economic Baseline Report).

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

Environmental Impact Statement – Consolidated Comments from Indigenous Nations and Communities and the Public on the NexGen Rook I Project Draft EIS (For NexGen Response)

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
798.	MN-S (October 19, 2022)	7.2, p. 181, Closure	"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." 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 Agreements have been established or are being negotiated for the Project. 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. 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.	NexGen notes that since the submission of this public comment, a Benefit Agreement between NexGen and the MN-S has been signed. Therefore, this comment has been addressed.

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