

APPENDIX C

FIRST NATIONS AND KELLY LAKE COMMUNITIES ISSUES TRACKING SUMMARY

- Part 1 Summary of Issues Raised During 2003 by Treaty 8 First Nations and Kelly Lake Communities, Pre-Application, with Western Canadian Coal Corp. (WCC)
- Part 2 Comments from Matt General on behalf of SFN and WMFN with WCC Responses
- Part 3 Summary of Third Party Review Comments with WCC Responses to September 30, 2004
- Part 4 Third Party Responses to Issues Identified by First Nations and Kelly Lake Communities to December 10, 2004

Part 1 – Summary of Identified Issues During 2003-2004 Consultations with Treaty 8 First Nations and Kelly Lake Communities. Pre-Additional Information Report Submission, with Responses from WCC.

# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Responsible Agency
1	General environmental protection	SFN WMFN MLIB KLMSS	<p>The Additional Information Report presented information on:</p> <ul style="list-style-type: none"> • Environmental management and reclamation plans (Section 10 of the Additional Information Report). • Project-related mitigation measures for protection of air and water quality, fisheries, and wildlife (Section 12 of the Additional Information Report). • Environmental management system (Section 10.3 of the Additional Information Report). • Emergency response plan (Appendix P) • Waste management plan (Section 3.13 of the Additional Information Report). • Risk assessment, management, and contingency plans – (Section 10.2 of the Additional Information Report). • Opportunity for FN 	C/P	<p>Response satisfactory. Issue addressed. See specifics in other parts of this Table.</p> <p>Details of management programs at permitting.</p>	MWLAP MEM

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			<p>involvement in plan review (Section 7.4 of the Additional Information Report)</p> <ul style="list-style-type: none"> Plans demonstrate the ability to manage potential impacts. <p>The Additional Information Report provided commitments for:</p> <ul style="list-style-type: none"> Consultation on Additional Information Report and reclamation plans (ongoing, with focus through the Third Party Study and the Wildlife Working Group. Follow-up Traditional Use Study (Completed in May 2004 and reported in Addendum Report) with follow-up program focused on plants of Traditional Use Importance. No non-mitigable impacts, special sites, or rare plants of traditional importance were identified. <p>Since the Additional Information Report,</p> <ul style="list-style-type: none"> Additional baseline 			

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			<p>studies have been completed, notably wildlife field studies, and studies of wetland habitats.</p> <ul style="list-style-type: none"> • WCC has committed to an enhanced Wildlife Management Plan focused on bears and caribou. • WCC has committed to update other management plans at permitting, including the selenium management plan. Aboriginal groups have had input in identifying plants of traditional use importance for reclamation planning. • Opportunity to review reclamation plans during Additional Information Report and Mine Permit Review process. WCC provided funding for a Third Party Review to assess proposed plans at environmental assessment level, and has committed to establishing an ongoing public and Aboriginal 			

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			environmental advisory group if interest warrants.			

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2	Protection of wildlife (caribou, grizzly bear) and aquatic resources.	KLCN KLFN KLMSS MLIB SFN WMFN	<p>In the Additional Information Report WCC reported on:</p> <ul style="list-style-type: none"> • Detailed water management planning to minimize contaminated runoff and direct site drainage away from sensitive receiving waters (Section 3.8 of the Additional Information Report). • Detailed water management planning to intercept suspended sediments and direct site drainage away from sensitive receiving waters (Section 3.11 of the Additional Information Report). • Erosion control plan (Section 10.5 of the Additional Information Report). Reclamation plan (Section 10.8 of the Additional Information Report). • Mine plan to minimize disturbance footprint, and impacts on sensitive habitat (Section 3.3 and 3.4 of the Additional Information Report). 	C/P	Response satisfactory. Issue addressed. Details at Permitting.	MWLAP

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			<ul style="list-style-type: none"> • General wildlife protection measures (prohibition of fire arms, waste management, prevention of harassment, etc.). • Species-specific wildlife protection measures. • Preliminary wildlife management plan (Section 10.6 of the Additional Information Report). • Reclamation of wildlife habitat (Section 10.8 of the Additional Information Report). • Risk Management – Section 10.2 of the Additional Information Report. <p>Since the Additional Information Report, WCC has:</p> <ul style="list-style-type: none"> • Conducted additional ground truthing of habitat mapping in the revised mine area and powerline and provided results to Wildlife Working Group – Caribou habitat values were downgraded as a result of this program, 			

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			<p>with results submitted to the wildlife Working Group for review.</p> <ul style="list-style-type: none"> Completed aquatic and wetland monitoring program to better define the aquatic baseline. Committed to ongoing wildlife management planning, and provided commitments to include a plan to minimize human-bear interactions to reduce mortality and a plan for ongoing support in caribou monitoring and caribou protection and recovery. 			
3	Effects on water quality	WMFN SFN MLIB KLMSS KLCN KLFN	<p>The Additional Information Report reported:</p> <ul style="list-style-type: none"> WCC has planned the project to prevent significant negative effects on water quality. Detailed water management planning to minimize contaminated runoff and direct site drainage away from sensitive receiving waters (Section 3.8 of the Additional Information Report). 	C/P	Response satisfactory. Issue addressed. Details at Permitting	MWLAP MEM

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			<ul style="list-style-type: none"> • Detailed water management planning to intercept suspended sediments and direct site drainage away from sensitive receiving waters (Section 3.11 of the Additional Information Report). • Erosion control plan (Section 10.5 of the Additional Information Report). Water quality monitoring programs and reporting of results to interested parties (Section 10.9 of the Additional Information Report). • Reclamation plan (Section 10.8 of the Additional Information Report). • Risk management – (Section 10.2 of the Additional Information Report). Details of all these plans and supporting documentation will be provided at permitting. <p>A follow-up meeting of the Water Quality Working Group, including</p>			

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			agency representatives, the Third Party Reviewer, and Aboriginal representatives, as well as follow-up conference calls between WCC and MWLAP have clarified and resolved outstanding water quality issues at the certificate level.			
4	Site water management	MLIB KLMSS WMFN	<p>The Additional Information Report provided information to address this concern as follows:</p> <ul style="list-style-type: none"> Detailed water management planning to minimize contaminated runoff and direct site drainage away from sensitive receiving waters (Section 3.8 of the Additional Information Report). <p>Since the Additional Information Report submission, detailed engineering design work has advanced, and confirms Additional Information Report management concepts.</p>	C/P	Response satisfactory. Issue addressed. Details at permitting.	MEM MWLAP LWBC
5	Metal leaching	MLIB SFN WMFN KLMSS	<p>The Additional Information Report provided information to address the concern as follows:</p> <ul style="list-style-type: none"> Assessment of acid rock drainage and leaching potential (Summary - Section 4.2 of the 	C/P	Response satisfactory. Issue addressed. Details at permitting.	MEM MWLAP

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# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Responsible Agency
			<p>Additional Information Report).</p> <ul style="list-style-type: none"> • Mine waste management plan (Section 3.7 of the Additional Information Report). • Water management plan (Section 10.4 and 10.5 of the Additional Information Report). • Additional baseline monitoring. • Ongoing water quality monitoring. <p>Proposed monitoring and management plans have been reviewed by the Third Party consultant and MEM, and are judged acceptable at certificate level (See part 2 of this table).</p>			
6	Elevated selenium levels	WMFN SFN MLIB KLMSS	<p>The Additional Information Report provided for:</p> <ul style="list-style-type: none"> • Mine waste management plans to minimize weathering and release of selenium to the environment. • Ongoing monitoring and management, with contingency plans. (Section 10 of the Additional Information 	C/P	Response satisfactory. Issue addressed. Details at Permitting	MWLAP MEM

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			<p>Report) Additional studies of potential selenium leaching were completed and presented in the Addendum report. Studies continue to support the conclusion of low risk of negative impact of selenium leaching on any valued ecosystem component.</p> <ul style="list-style-type: none"> • Post-Additional Information Report monitoring programs have established a solid baseline for monitoring selenium impacts during operations. • WCC has committed to updating the Selenium Management Plan during permitting. 			
7	Sedimentation	MLIB	<p>The Additional Information Report provided information to address this concern as follows:</p> <ul style="list-style-type: none"> • Detailed water management planning to intercept suspended sediments and direct site drainage away from sensitive receiving waters (Section 3.11 of the Additional Information Report). 	C/P	Response satisfactory. Issue addressed. Details at permitting.	MWLAP MEM

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			<ul style="list-style-type: none"> • Section 3.8 of the Additional Information Report – operational water management.. • Erosion control plan (Section 10.5 of the Additional Information Report). • Reclamation plan (Section 10.8 of the Additional Information Report). • Water quality monitoring (Section 10.9 of the Additional Information Report). <p>Details will be presented in the Water Management and Technical Assessment Reports at permitting.</p>			
8	Effects on plants of traditional use importance	WMFN SFN KLMSS MLIB KLCN KLFN	<p>The Additional Information Report documented planning and mitigation measures:</p> <ul style="list-style-type: none"> • Ecosystem mapping used (TEM and PEM) to identify rare species and rare site series (Section 4.4 of the Additional Information Report). • Traditional use studies (Appendix N of Additional Information Report and Addendum 	C/P	Response satisfactory. Issue addressed.	MEM

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			<p>Report).</p> <ul style="list-style-type: none"> Mitigation to minimize impacts (Section 10 of the Additional Information Report). <p>The Additional Information Report committed to follow up:</p> <ul style="list-style-type: none"> Follow-up Traditional Use Study (Completed in May 2004 and reported in Addendum report) with follow-up program focused on plants of Traditional Use Importance. (Completed in September 2004, and submitted as Attachment 4). No non-mitigable impacts, special sites, or rare plants of traditional importance were identified. Plants of traditional use importance will be incorporated in the reclamation plan for the Mine Permit Application. 			
9	Cumulative effects on wildlife (oil and gas plus mines)	WMFN SFN MLIB KLMSS	The Additional Information Report provided project-related mitigation measures for protection of air and water quality, fisheries, wildlife, and	C/P	Response satisfactory. Issue addressed.	MWLAP

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			<p>traditional use activities (Section 10 of the Additional Information Report); assessment of residual effects – Section 12 of the Additional Information Report, and Cumulative Effects – Section 12 and 13 of the Additional Information Report.</p> <ul style="list-style-type: none"> • Since the Additional Information Report: The Third Party Review and the Wildlife Working Group have reviewed these issues and project-specific issues are largely resolved, except for potential impacts on caribou. • WCC has committed to participation in caribou monitoring and in protection and recovery planning. • See part 2 and 3 of this table for additional information. • The need for government action to manage cumulative effects on wildlife species (notably caribou) was identified by WCC. 			

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			<ul style="list-style-type: none"> WCC has committed to develop a wildlife management plan. 			
10	Use of agronomic species for reclamation.	WMFN SFN	<p>In the Additional Information Report, WCC committed to:</p> <ul style="list-style-type: none"> Optimum use of native species, especially plants of importance to wildlife. Limited use of agronomic species, with focus on erosion control and initial cover establishment (Section 10.8, Section 10.6 of the Additional Information Report). Progressive reclamation during operations. <p>See Part 2 of this table for additional information and clarifications made during project review.</p>	C/P	Response satisfactory. Issue addressed. Details at Permitting	MEM
11	Coal Dust	SFN WMFN MLIB KLMSS	<p>The Additional Information Report provided information to address these concerns as follows:</p> <ul style="list-style-type: none"> Assessment of air and water quality impacts. Air quality management plan. <p>Since the Additional Information Report, the Wildlife Working</p>	C	Response satisfactory. Issue addressed.	MWLAP

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			<p>Group members have contacted experts and operating staff at coal mines to attempt to gather data on this issue:</p> <ul style="list-style-type: none"> • Additional data has been provided to the wildlife working Group. • There is no evidence that coal dust from the mine will pose a problem for wildlife. Also, no significant potential impacts on wildlife vegetation, aquatic resources are anticipated (See Part 2). 			
12	Dump construction and stability	MLIB	<p>The Additional Information Report provided information to address the concern as follows:</p> <ul style="list-style-type: none"> • Geotechnical studies (Appendix A). Detailed waste rock dump design according to tested standards to ensure safe operating conditions (Appendix A). • Stability analysis (Appendix A). Additional geotechnical studies. • Commitment to Operations, maintenance and surveillance manuals 	C/P	Response satisfactory. Issue addressed. Details at permitting.	MEM

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			<p>and Monitoring. Since the Additional Information Report, Norwest, WCC's geotechnical consultants have completed additional field and lab work to confirm that design criteria ensure dump and waste embankment stability. Additional information has been provided to MEM to confirm that data support the proposed tailings impoundment design. Post Certificate drilling and monitoring programs are proposed. All major structures will be built according to Operating, Maintenance, and Surveillance Manuals approved by MEM.</p>			
13	Direct, indirect and cumulative effects	SFN KLMSS WMFN MLIB	<p>The Additional Information Report provided information on:</p> <ul style="list-style-type: none"> Project-related mitigation measures for protection of air and water quality, fisheries, wildlife, and traditional use activities (Section 10 of the Additional Information Report); assessment of residual effects – Section 12 of the Additional Information Report, and Cumulative Effects – Section 12 and 13 of the Additional 	C	Response satisfactory. Issue addressed. Details at permitting.	MWLAP

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			<p>Information Report. Since the Additional Information Report:</p> <ul style="list-style-type: none"> • The Third Party Review and the Wildlife Working Group have reviewed these issues and project-specific issues are largely resolved, except caribou. • WCC has committed to participation in caribou protection and recovery planning. • Cumulative effects on wildlife species, (notably caribou) is being followed up by EAO. • WCC has committed to develop a wildlife management plan. • Follow-up traditional use studies were completed in spring 2004 and fall 2004. • Co-operation and Financial benefits agreement are being finalized and may serve to offset potential impacts. 			
14	Infringement on ability to	SFN WMFN	<ul style="list-style-type: none"> • The Additional Information Report 	C	Response satisfactory. Issue	N/A

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	exercise Treaty rights	MLIB	<p>committed to management plans to reduce potential impacts, as well as ongoing consultation.</p> <ul style="list-style-type: none"> • A Third Party reviewer was hired in June 2004 to work with all Aboriginal groups to assist in issue clarification and resolution. • Follow-up traditional use studies were completed in spring 2004 and fall 2004. • Additional wildlife impact mitigation measures have been developed, and are outlined in the framework for a Wildlife Management Plan (response to agency comments – November 3, 2004). • Work on negotiation of co-operation agreements has advanced, with the objective of ensuring that the project provides economic benefits to offset any potential 		addressed. See part 3 of this table	

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			infringement on rights. Final agreement has been reached with WMFN.			
15	Capacity to conduct Project review.	WMFN SFN MLIB KLMSS	<ul style="list-style-type: none"> WCC in conjunction with EAO provided financial support for participation in Project review through Third Party Study. WCC provided financial support for a community co-coordinator participation in EAO Working Group meetings and travel expenses. 	C	Response satisfactory. Issue addressed.	N/A
16	Equal access to opportunities among aboriginal groups.	KLMSS	<ul style="list-style-type: none"> WCC is committed to providing information on and access/ to economic opportunities to all Aboriginal groups in the project area. Aboriginal groups have been invited to provide information to pre-qualify for upcoming work. 	C	Response satisfactory. Issue addressed.	N/A
17	Economic benefits including contracting and employment opportunities	WMFN SFN MLIB KLMSS KLCN KLFN	<p>In the Additional Information Report WCC committed to:</p> <ul style="list-style-type: none"> Maintaining a registry of local FN businesses providing Project related services, based on information provided by FN and Aboriginal 	C	WMFN has concluded a cooperation agreement. On-going negotiations. Progress accepted for certificate level.	

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			<p>communities.</p> <ul style="list-style-type: none"> • Advance notification of contracting opportunities and standards. Advance notification of employment and apprenticeship opportunities. • Development of cooperation agreement. <p>Since the Additional Information Report:</p> <ul style="list-style-type: none"> • Work has progressed on co-operation agreements to formalize arrangements that will result in economic benefits to Aboriginal groups. An agreement is signed with the WMFN, and work on agreements with the SFN, MLIB and KLMSS is advancing. • WCC has held information meetings with lead Dillon and Wolverine Mine contractors and Aboriginal Groups, and provided information on opportunities. • WCC solicited pre- 			

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			<p>qualification information from all Aboriginal groups.</p> <ul style="list-style-type: none"> • WCC tendered and awarded work on the Dillon Project to aboriginal groups. • WCC is formalizing policy and procedures related to providing Aboriginal benefits through employment and contracting. • The WMFN co-operation agreement commits WCC to work with WMFN to develop a human resources and training plan related to mining opportunities. This offer is included in draft agreements with other groups. 			
18	<p>Consultation process – meetings with previous company manager prior to 2004 should not be considered consultation.</p>	SFN	<ul style="list-style-type: none"> • WCC is committed to ongoing consultation. 	C	N/A	N/A

Part 2 – Comments re: Letter from Matt General to EAO, August 10, 2004, on behalf of SFN and WMFN with WCC responses.

# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Responsible Agency
1	Various concerns related to caribou in the area, cumulative impacts, and traditional use. Need for a Provincial Caribou Protection Plan (CPP) for the area, and request that approvals for Wolverine Mine be tied to such a plan.	Matthew General Aug 10, 2004. For West Moberly FN and Saulteau FN.	WCC is willing to participate in such a plan, and has encouraged early commitment of the province to such an initiative. The lead is the responsibility of government. The development of the caribou protection plan should not affect timing of Wolverine Project approvals, particularly in view of the fact that the key area of concern is the EB Pit area, which will not be developed for 8 years, allowing for more than adequate time to complete protection planning. Also, ongoing developments in the PNG industry have a greater impact in increasing access than does the Wolverine Mine.	C	Response satisfactory. Issue addressed . Permitting of EB pit to consider increased understanding of caribou movement and habitat use.	MWLAP, MSRM, MoF, OGC
2	Better Coordinated Access Management Planning and progressive reclamation measures can assist in addressing cumulative effects on bears and ungulates.	Matthew General Aug 10, 2004. For West Moberly FN and Saulteau FN.	WCC is willing to participate in a Better Coordinated Access Management Planning . Lead responsibility in this area rests with government, and should not affect timing of Wolverine Project Review. Progressive mine reclamation is already planned, with reclamation to be completed as soon as practical, once mining or dump development is completed in a given area.	C	Response satisfactory. Issue addressed. Detailed reclamation planning at permitting.	MWLAP, MEM

Part 2 – Comments re: Letter from Matt General to EAO, August 10, 2004, on behalf of SFN and WMFN with WCC responses.

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	Access management should be linked to traffic management and wildlife management.					
3	Timing of the project review in relation to the requirement to address Aboriginal rights and potential infringements.	Matthew General Aug 10, 2004. For West Moberly FN and Saulteau FN.	WCC is committed to continuing efforts to address outstanding issues, if any, as they arise throughout the review period and beyond.	Ongoing	Response satisfactory. Issue addressed.	N/A
4	Need for substantive Consultation, with legitimate identified issues to be addressed and incorporated into plans of action.	Matthew General Aug 10, 2004. For West Moberly FN and Saulteau FN.	WCC believes that follow-up has been conducted, or commitments made to follow up in a timely manner, for all issues raised by WMFN and SFN and within the areas of responsibility of WCC. Plans of action are in place for most issues. Plans to address issues related to cumulative effects are the responsibility of government.	C	Response satisfactory. Issue addressed.	N/A

Part 2 – Comments re: Letter from Matt General to EAO, August 10, 2004, on behalf of SFN and WMFN with WCC responses.

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5	Elders with specific knowledge of the area identify that the project area was used by SFN for hunting, fishing, trails, camping, and spiritual site locations. They are concerned that the values will be spoiled, and the ability of the FN to exercise their rights will be compromised.	Matthew General Aug 10, 2004. For West Moberly FN and Saulteau FN.	While the specific area of the mine will be affected during and after mine development, the mine is not expected to negatively impact wildlife populations in the area. Follow-up studies of traditional plants (September 2004) identified plants that were traditionally used, but none that were unique to the area. WCC acknowledges that during mine development, use of the area in and near the mine will be affected. Co-operation and benefits agreements with the SFN and the WMFN, and the associated economic benefits (jobs, training, scholarships, environmental mentoring programs, etc.) are expected to offset any impacts on traditional rights and use.	C	Response satisfactory. Issue addressed.	N/A

Part 2 – Comments re: Letter from Matt General to EAO, August 10, 2004, on behalf of SFN and WMFN with WCC responses.

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6	Scope of Aboriginal rights and traditional use studies - suggestion that broader areas should have been considered. Request for Aboriginal/Traditional knowledge panel at EA level.	Matthew General Aug 10, 2004. For West Moberly FN and Sauleteu FN.	Members of all Aboriginal groups have been invited to participate in the project review meetings, and the wildlife and water quality/ARD working groups established for the EA review, as well as in the studies conducted by Landsong. WCC also committed in 2002 to fund traditional use studies by the Sauleteu. WCC held many meetings with both the WMFN and the SFN, and brought wildlife consultants to meetings. WCC's wildlife/vegetation consultants involved the communities in studies of traditional plants. A Third Party review process provided additional opportunities for First Nations input. WCC believes that adequate opportunities have been provided for specific concerns to have been brought forward in the review process, and that any delays to establish additional review mechanisms at the EA level are not warranted.	C	Response satisfactory. Issue addressed.	N/A
7	Cumulative impacts - adequacy of scope of WCC's	Matthew General Aug 10, 2004. For West	WCC has completed CEA studies to assess the impact of the Wolverine Project in relation to other activities in the area - activities to date, and those	C	EAO is satisfied that WCC's commitments to participate in caribou studies and	N/A

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	Cumulative Effects Assessment, and need for action on behalf of the Province to avoid infringement of rights.	Moberly FN and Sauteau FN.	proposed in the near future. The level of assessment is in keeping with the scope of impact in relation to that of other industries, both forestry and PNG. WCC is prepared to co-operate with additional studies or management plans in the context of Wolverine Project approval. There seems to be no justification for linking this project to any requirement for regional action on cumulative impacts, while allowing ongoing development in the forestry and PNG sectors.		any government led management access planning is sufficient considering the Project's limited contribution to cumulative effects in the region.	
8	Need for co-operation agreements and impact-benefits agreements as a condition of approval.	Matthew General Aug 10, 2004. For West Moberly FN and Sauteau FN.	WCC does not support the requirement for impact benefit agreements as a condition of approval. Nevertheless, it is WCC's intention to conclude co-operation agreements with all potentially affected First Nations and aboriginal groups that are seeking such agreements. Work on agreements is well-advanced. WCC has concluded agreements with WMFN. Expects to conclude agreements with the SFN in November 2004.	C	N/A	N/A

Part 3 – Summary of Third Party Review Comments with Responses by WCC to September 30, 2004.

# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
METAL LEACHING / ACID ROCK DRAINAGE						
1	<p>The primary method proposed by WCC to manage potentially acid-generating (PAG) rock is to blend the material with non-acid generating (NAG) rock. Although this is a potentially viable technique to reduce ARD, it may not prevent neutral pH metal leaching. There is no field scale test work to show that the technique would be effective with the rock present at the site. Additional field [kinetic]</p>	<p>URS Subcontractor, in conjunction with Third Party Review on behalf of First Nations.</p>	<p>The Summer 2004 drilling program obtained numerous drill cuttings from mixed stratigraphic units. This material will be placed on field leach pads to allow drainage chemistry from mixed waste rock to be evaluated. In addition, based humidity cells are also being constructed using this material under optimal leaching conditions that will provide a more rapid indication of the leaching characteristics of blended waste rock. A kinetic test update memo provided in September 2004 supported proposed waste management plans.</p>	P	<p>Response satisfactory. Issue addressed. Details at permitting.</p>	MEM

Part 3 – Summary of Third Party Review Comments with Responses by WCC to September 30, 2004.

# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
	testing is required to document that blending would be effective.					
2	There does not appear to be much detail as to how the wastes would be handled and mixed to achieve the optimum blending required. Additional detail required regarding the handling of waste rock to achieve blending.	URS Subcontractor, in conjunction with Third Party Review on behalf of First Nations.	Mine waste sequencing and waste placement plans that identify management strategies and confirm monitoring will be prepared during permitting of the Perry Creek pit. WCC intends to monitor sulphur levels in potentially high sulphur partings. Such data will provide indications as to the level of effort required in verifying plans for handling and management of different waste materials.	P	Response satisfactory. Issue addressed. Details at permitting.	MEM
3	Which individual(s) would be responsible for ensuring effective operational mixing and blending of PAG material? The Métis suggested that	URS Subcontractor/Kelly Lake Métis.	Responsibilities for documentation of waste rock placement to confirm that operational procedures were being conducted appropriately will be outlined in permit documents. Staff will be educated and instructed appropriately.	P	Response satisfactory. Issue addressed. Details at permitting.	MEM

Part 3 – Summary of Third Party Review Comments with Responses by WCC to September 30, 2004.

# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
	<p>an organizational chart be developed identifying key individuals with responsibilities for appropriate material handling, and ensuring they are properly educated.</p>					
4	<p>Only 15 weeks of kinetic testing data is presently available on the waste rock. In general, 20 to 40 weeks of testing is preferred for determining leaching rates and calculating site-specific NPR values. Although the data is generally favourable, a longer monitoring period should</p>	<p>URS Subcontractor, in conjunction with Third Party Review on behalf of First Nations.</p>	<p>Kinetic testing is ongoing on 11 humidity cells. Additional field kinetic testing is currently being initiated on stratigraphic samples at the site as outlined in Response 1. A kinetic test update memo was submitted in September 2004, and supported proposed waste management plans.</p>	P	<p>Response satisfactory. Issue addressed. Details at permitting.</p>	MEM

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# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
	be conducted before any detailed estimates of leaching rates and NPR values are developed.					
5	No kinetic data (humidity cells or field tests) was provided on the tailings or CCR fractions. WCC noted that these materials had the most potential for ARD and selenium leaching. Therefore kinetic data (humidity cells and field tests) for these materials is required for the permitting stage.	URS Subcontractor, in conjunction with Third Party Review on behalf of First Nations.	Five tailings and CCR samples have been submitted for humidity cell testing to assess the ARD/ML characteristics. Operational monitoring of the tailings and CCR was proposed in the Additional Information Report.	P	Response satisfactory. Issue addressed. Details at permitting.	MEM
6	Information should be gathered on the effects of	URS Subcontractor, in conjunction	WCC is committed to monitoring uptake of selenium in vegetation, on the mine site in general and in wetlands downstream of the mine. If	P	Response satisfactory. Issue addressed.	MWLAP/ MEM

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# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
	selenium on wildlife, particularly through uptake in vegetation eaten by ungulates.	with Third Party Review on behalf of First Nations.	significant increases of selenium occur during operation, the need for monitoring uptake in wildlife will be assessed.		Details at permitting.	
WILDLIFE						
1	Lack of data on numbers and status of the local caribou population.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	~160 in the Quintette herd, with use observed in the Bullmoose and Wolverine areas. A group of ~50 have been observed near the Quintette Mine area (Quintette and Babcock Mountains) on many occasions since the 1980's. To date those involved in government with monitoring the caribou population, indicate that the local population 'appears' to be stable - Dale Seip (MoF).	C	Response satisfactory. Issue addressed.	MWLAP
2	The EB Pit is close to a caribou migratory path.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	No sign of well-used paths found during field reconnaissance. Caribou are likely 'Northern ecotype' and have more variable seasonal movements than a single traditional route. More telemetry data needed to confirm if EB area is on migratory path. Studies ongoing by MoF. Most of Seip's telemetry points are >3km away from EB Pit. WCC committed to support on-going radio telemetry studies to confirm migratory route and will develop adaptive management	C/P	Response satisfactory. Issue addressed. Details at permitting.	MWLAP /MEM

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# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
			planning acceptable to MWLAP.			
3	Impact analysis focused on local mine area.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities	The EB Pit area itself is of low importance for caribou. A CEA was done addressing areas as specified. (Sections 12.6.2, 13.4.4; see point #5). Cumulative effects analysis was performed across larger area (944 km ² ; see section 12.6.2.3). Lack of data on future use patterns of other industries limits utility of further CE work by WCC. Any further CEA is responsibility of agencies.	C	Response satisfactory. Issue addressed. See # 1 and # 2, and #7 in Part 2.	MWLAP, MEM
4	Effects of the habitat loss on the regional population of caribou.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	The loss or change of habitat within the 385 ha EB Pit is expected to be minimal in the context over the regional area (94,000 ha).	C/P	See # 3 above.	MWLAP, MEM
5	Need to address other impacts from forestry, recreation and petroleum.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	Ongoing data collection will allow detailed assessment in about 8 years in conjunction with EB permitting. Cumulative effects analysis was performed across larger area (944 km ² ; see section 12.6.2.3). Lack of data on future use patterns of other industries limits utility of further CE work by WCC. Any further CEA is responsibility of agencies.	C	Response satisfactory. Issue addressed. See #1 and #2 in Part 2.	N/A
6	Early successional	IER (Peter Homenuck)	Possible, but a short term effect. The effect of WCC's disturbance is low in	C	Response satisfactory.	

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# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
	stages will attract other ungulates and wolves after mine closure.	Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	comparison to the amount of early seral habitat produced by timber harvest in the area and oil and gas development.		Issue addressed.	
7	Increased traffic may act as a barrier to caribou movement.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	Unlikely. Migrating barren-ground caribou have no trouble crossing roads at the other mines, including Ekati diamond mine in the NWT and Lupin Mine.	C	These observations may not be transferable to this Project. Monitoring to continue during construction and operation. WCC to engage in adaptive management response.	MWLAP
8	Increased caribou (moose)/vehicle collisions.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal	WCC will require strict adherence to posted speed limits from its workers, who will also be instructed that wildlife has the right of way (unless unsafe). WCC is only one of several industrial users of the Wolverine FSR (plus an unknown amount of recreational traffic).	C	Response satisfactory. Issue addressed.	MWLAP, MEM

Part 3 – Summary of Third Party Review Comments with Responses by WCC to September 30, 2004.

# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
		Communities.				
9	Effect of coal dust on caribou (moose and grizzly).	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities	Likely not an issue – University of Saskatoon vet opinion. Refer to Sections 10.6.2.2 and 12.6.3 of AIR. Comments from Dr. Neiz support this assessment. Not seen to be an issue by operating and recently closed coal mines in British Columbia. The Wildlife Working Group has reviewed this issue, and no evidence of likely impacts has been put forward.	C	Response satisfactory. Issue addressed.	MWLAP
10	Documentation needed to support the no negative impact of selenium on moose.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	This issue was discussed in the working group. Species specific data are not available. Peter Chapman (EVS) indicated that given the wide-ranging forage habitat of moose, and the expected levels of selenium in forage plants, the risk of selenium accumulation in moose is low. Forage samples from terrestrial and aquatic environments have been collected to define baseline vegetation metal levels, and will be provided in the Mine Permit review process.	C	Response satisfactory. Issue addressed. Monitoring plan at permitting.	MEM/MWLAP
11	Potential for increased grizzly mortality from improved access.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal	Section 10.6.2.3. WCC is not building new access roads for the project. WCC will work with other users in the area on traffic management for the wolverine FSR and Perry Creek Road.	C	This response and WCC's commitment to develop a wildlife management plan are	MWLAP

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# ID	Issues Raised	Submitted by	Proponent Response	Permitting vs Certificate (P/C)	Review Status	Permit Agency
		Communities.			considered satisfactory. Issue addressed.	
12	Grizzly ratings were based on plant forage (other sources ungulates, rodents, and insects) and other activities were not included.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	Information provided by MWLAP has now been reviewed in context of this project. Grazing on vegetation, feeding on berries and digging for roots were the first three most common activities for radio collared grizzly bears recorded in the Parsnip grizzly bear study (58% of time spent by bears). Digging for rodents and feeding on carcasses made up only 11% of time spent. Winter denning sites are site specific (hard to map). Mapping areas high in value for insect/small mammal/carrion feeding is also difficult.	C	Response satisfactory. Issue addressed.	N/A
13	The 350m buffer widths are not thought to be large enough for grizzly bears.	IER (Peter Homenuck) Aug 9, 2004; as Third Party Reviewer for FN & Aboriginal Communities.	The 350m buffer represents an exclusion zone. Bears were assumed to be totally excluded from the buffer. In actuality, some use within the buffer zone is expected and there could be impacts outside the area.	C	Response satisfactory. Issue addressed.	N/A

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
TREATY AND ABORIGINAL RIGHTS				
1	Need to protect Treaty and Aboriginal rights – tied to cooperation agreements.	June 8, 2004 Meeting final minutes, page 4 EA third party review 2004, page 11	<ul style="list-style-type: none"> • WCC has made significant efforts to reach cooperation agreements and arrangements with Aboriginal communities. • WCC recognizes Treaty and asserted Aboriginal Rights and is making efforts to protect these rights through ongoing consultation. 	One First Nation (West Moberly) has signed a cooperation agreement. Some progress is being made on others, but the process is moving slowly. It is critical that agreements be concluded to partially address Aboriginal Rights and Treaty Rights. Signed cooperation agreements with all six Aboriginal communities should be required prior to certificate approval.
WILDLIFE ISSUES				
2	Effects on water quality and its effects on fish and waterfowl	June 8, 2004 Meeting final minutes, page 5	<ul style="list-style-type: none"> • There are no fish in Perry Creek above the waterfall; fish habitat is relatively poor in lower Perry Creek, no fish values in smaller tributaries. • WCC has committed to monitoring programs for water quality and aquatic resources, including fish tissue. Significant changes identified in these programs could warrant waterfowl studies. 	Water quality and its effects on wildlife should be subject to monitoring during operations. WCC should establish a Monitoring Committee with representatives from the Aboriginal communities. All monitoring results should be made public.
3	Furbearing animals and trapping – Implications for trapping		<ul style="list-style-type: none"> • No significant negative effects predicted for trapping activity by registered trapper. 	Some Aboriginal people have expressed concerns for effects on their lifestyle (that is, besides being a source of income, trapping is also a recreational activity and for country food (e.g. muskrat). Should be part of the mandate of a liaison committee with

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
				Aboriginal communities.
4 & 5	Effects from acid rock drainage on water quality and vegetation; Impact on overall water quality –runoff and leaching. Impact on country food sources (moose, muskrat, etc.).	June 8, 2004 Meeting final minutes, page 5	<ul style="list-style-type: none"> Most of the stratigraphy within the mine site is not potentially acid generating, only very small portions are. Most Coarse Coal generating is expected to be non-acid operational ARD/ML monitoring, groundwater monitoring will be conducted. WCC plans aquatic monitoring programs –water quality monitoring for Wolverine River, Perry Creek Murray River, other tributaries within project area and wetlands downstream of the project. (Also see ARD Issues (36-38). Vegetation metals will also be monitored. Fish and waterfowl are the most sensitive ecosystem components. Wildlife monitoring would only be warranted with very high Se levels, which are not expected to occur. 	WCC should establish a monitoring committee with Aboriginal representation and develop a monitoring protocol which includes animal tissue analysis. All monitoring results should be made public.
6	Effects of selenium and impact on wildlife. May cause adverse	June 8, 2004 Meeting final minutes, page 6	<ul style="list-style-type: none"> Plans to reduce selenium mobilization will be implemented and drainage controlled. Waterfowl use of site will be discouraged if 	Selenium effects on wildlife, and therefore the country foods that constitute the main component of Aboriginal diets is a major concern in

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
	<p>effects to reproduction process of fish and waterfowl. Particular concern for effects on country food sources such as moose, muskrat, etc.</p>		<p>selenium concentration elevates –sedimentation ponds will be removed at closure</p> <ul style="list-style-type: none"> • WCC and MWLAP are conducting further work to determine significance of findings relating to the high tissue levels of selenium in whitefish from above and below Quintette mine. Levels may be high naturally in the area. • Terrestrial and wetland forage samples will be sent to lab for analysis to define baseline. Monitoring will be conducted during operations and closure to assess changes in Se levels. • WCC acknowledges that selenium can have adverse effects on fish and waterfowl at highly elevated selenium levels. However, predicted levels for the project are not expected to reach levels where adverse effects would occur. 	<p>the Aboriginal communities. WCC should establish a Monitoring committee with Aboriginal representation and develop a monitoring protocol which includes animal tissue monitoring. All results should be made publicly available.</p>
<p>7 & 8</p>	<p>Effects of increased traffic dust and operational coal dust on vegetation; Effects of coal dust on air</p>	<p>August 26, 2004 meeting -Final Meeting Notes, page 2 & 6 (no. 4 (d))</p>	<ul style="list-style-type: none"> • WCC -lack of research information may well be related to lack of observed effects that would lead to research studies. In the absence of any evidence to suggest likely effects, monitoring and research at this site are not warranted. • Significant mitigation will 	<p>Independent information obtained from Dr. Neuz (USDA) information indicated that the issue of inhalation of particles by wildlife has not been researched. This issue has not been noted at other mines; however, there have also not been any long term monitoring for non-lethal effects at other mines.</p>

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
	<p>quality and health of animals and people.</p>		<p>be conducted by WCC to minimize coal dust releases.</p> <ul style="list-style-type: none"> • There is no information available to support the conclusion that coal dust will impact ungulates. There are inhalation and ingestion concerns for people exposed over a longer term -on site • WCC will undertake operational measures to reduce mine traffic dust. 	<p>This is an area where the parties (proponent, Aboriginal communities and government) may wish to encourage research.</p>
9	<p>Increased traffic and safety factors to road users, traffic leading to increased animals kills.</p>	<p>September 10, 2004 – Draft Action Item Report page 3 (item 14 -15)</p> <p>August 26, 2004 meeting -Final Meeting Notes, page 5</p>	<ul style="list-style-type: none"> • WCC will prepare a management plan for traffic on the mine site and the Perry Creek & Wolverine FSR. The former is required in conjunction with the Mine Permit application. Traffic management on the Wolverine FSR will be coordinated with Canfor –a primary user of the road. • WCC will conduct construction & operational phase monitoring to determine wildlife mortality relating to roads. Government to address the boarder issues on roads as WCC is responsible for only this project. 	<p>WCC should establish a liaison committee with Aboriginal representation. Such a committee would be consulted on issues such as this; to be involved in development of traffic management plans. British Columbia should involve Aboriginal communities in dealing with broader traffic and access management issues.</p>

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
CULTURE				
10	Destruction of medicinal plant areas and food sources Concern for protection through avoidance and potential reclamation.	July 23, 2004 Meeting – draft meeting notes August 26, 2004 meeting - Final Meeting Notes, page 4	<ul style="list-style-type: none"> WCC provided results of Traditional Plants work to EAO for distribution to the Working Group. Results of the survey will be reflected in reclamation planning. 	<p>In three Aboriginal communities, there are stated concerns on the need to do more medicinal plant identification and protection. WCC should ensure ongoing dialogue prior to construction to avoid direct impacts.</p> <p>Aboriginal communities should be involved in mine reclamation planning as well as monitoring.</p>
11	Impacts on Aboriginal cultural sites SFN elders identified a lake on higher ground that they used in the past. May no longer be used due to mining activity.		<ul style="list-style-type: none"> WCC has carried out an archaeological study with some Aboriginal input. No archaeological sites were identified in the Perry Creek Pit area. Alpine pond/lake in EB will not be directly affected. Sites on the powerline related to wildlife use, (trails, etc). 	<p>Ongoing dialogue with Aboriginal communities should be maintained prior to and during construction.</p>

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
12	Lack of direct involvement or and use of traditional knowledge. Some elders willing to engage with proponent to discuss how undulates will respond to mining activity.		<ul style="list-style-type: none"> • WCC has sought Aboriginal input on plant and cultural and archaeological studies. Elders have been consulted in these studies, including through site reconnaissance. • WCC provided opportunities for elders to discuss issues with our wildlife consultants both prior to AIR submission (February) and during AIR review, at the site tour, during archaeology field programs, and at the offices of the WMFN and SFN. • WCC provided 3 opportunities for participation in Archaeological and Productivity use studies - in 2002, February 2004, and May 2004. WCC agrees to discuss participation of elders in ongoing wildlife monitoring work by the Wildlife Working Group. 	Aboriginal input should be incorporated into ongoing wildlife monitoring work. WCC should engage elders more directly. Such involvement may assist in dealing with understanding the behaviour patterns of the wildlife in the area, particularly the caribou and grizzly bear. The Wolverine project provides opportunities for WCC to train/hire Aboriginal technicians.
CUMULATIVE EFFECTS				
13 & 14	Overall cumulative effects & Cumulative effects (CE)	July 23, 2004 Meeting – draft meeting notes	<ul style="list-style-type: none"> • WCC responded that activity in the area is increasing due to other resource industries; WCC is just a small player. 	British Columbia government must take the lead to initiate a full CEA study. This is critical to proper resource development. Aboriginal communities must be

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
	<p>of mine in conjunction with other development activities Project cumulative impact analysis not broad enough to account for other stress on wildlife and traditional and cultural pursuits in the area.</p>		<ul style="list-style-type: none"> • General agreement that a more detailed cumulative assessment should be undertaken that will involve all players. • WCC's view is that the appropriate forum for focussing efforts is not a CEA, but one or more targeted regional planning frameworks, of which regional Caribou protection and recovery planning is a priority. 	<p>involved in developing a CEA terms of reference as well as in the analysis. WCC should formally endorse and commit to participating in a CEA and development of an appropriate resource management plan.</p>
15	<p>CEA does not fully examine the potential impact of forestry, petroleum exploration or recreation on caribou range integrity. Two of the Aboriginal communities wish to see a no net loss initiative.</p>	<p>July 23, 2004 meeting – Draft Meeting Notes page 5 (4)</p>	<ul style="list-style-type: none"> • WCC responded that there was no need for more detailed CEA in the context of Wolverine Project Review. (The Working Group subsequently agreed). CE is increasing due to other resource industries-WCC is just a small player. • General agreement that additional detailed CEA work should be led by British Columbia government and involved the players, not just WCC. • The Wolverine project cumulative effects analysis was 	<p>These concerns should be addressed by a full and complete CEA. The Aboriginal Communities recognize that WCC cannot be responsible for the full CEA analysis, but are clear that the impact concerns are crucial to their culture and lifestyle and the EAO must take the lead in seeing a full CEA study is undertaken.</p>

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
			performed across larger area (944 km sq.).	
SOCIO-ECONOMIC EFFECTS				
16	Availability of jobs as trade-off for impacts.	June 8, 2004 Meeting final minutes, page 4	<ul style="list-style-type: none"> • A maximum of 210 jobs during construction and about 200 during operation • WCC does not support allocating specific number of jobs to Aboriginal people • WCC agrees to work with Aboriginal communities re-training and access to jobs and contracts. <p>WCC is pursuing a number of initiatives in that regard in the areas of contracting, training and direct employment.</p>	On going discussions between Aboriginal people and WCC. Conclusion of cooperation agreements should be required prior to granting the certificate of approval.
17	Possibility of contracting to Aboriginal	EA third party review 2004,	<ul style="list-style-type: none"> • WCC documents and correspondence reveal that Aboriginal communities have 	Aboriginal communities will continue to provide WCC with details of human

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
	companies.	page 9	<p>been asked to provide WCC with information on community capabilities in response to contracting opportunities.</p> <ul style="list-style-type: none"> WCC has taken steps to build working relationships between our contracts manager and all aboriginal groups. Contracts have been awarded to Aboriginal contractors at the Dillon Mine. 	<p>resources, Aboriginal owned companies & service providers. Some contracts are reported to have been awarded. Aboriginal communities feel that they should have priority opportunities for contracts because they are permitting extraction uses on lands on which they have Aboriginal and Treaty Rights. Conclusion of cooperation agreements should be required prior to granting the certificate of approval.</p>
18 & 19	Available training programs for Aboriginal communities; support for other Aboriginal needs – education and cultural pursuits.	EA third party review 2004, page 11	<ul style="list-style-type: none"> WCC recognizes the need to train Aboriginal mining workers. WCC also proposes a \$30,000 per year scholarship fund for Aboriginal communities over the approximate 15-year life of the mine. 	<p>Cooperation agreements also recognize that WCC will provide some training. Conclusion of cooperation agreements should be required prior to granting the certificate of approval.</p>
20	Need to develop impact benefits agreements as trade-off for effects on Aboriginal use of the area and on Aboriginal and Treaty rights.		<ul style="list-style-type: none"> WCC intends to complete cooperation agreements with all Aboriginal communities. Impact benefits are seen as an integral part of the cooperation agreements. WCC does not support the requirement for impact benefits agreements as a condition of approval. 	<p>Impact benefits can be incorporated into the cooperation agreements or dealt with separately. Impact benefits should be spelled out clearly in terms of jobs, contracts and other considerations such as funding for education, training and cultural support. The cooperation agreements are seen as all parties recognizing the relationship between resource development activities and Treaty and Aboriginal rights and so should be a requirement, as a condition</p>

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
				of approval.
WILDLIFE ISSUES				
CARIBOU				
21	No reliable estimate of caribou population.	July 23, 2004 meeting – Draft Meeting Notes page 4 (1)	<ul style="list-style-type: none"> Dale Seip noted that data available indicate low mortality rates and stable populations; 100-150 caribou in the Bullmoose and Wolverine areas, Quintette population appears to be stable (50 animals since 1984) -some changes in movement. Detailed studies (monitoring) of population & investigations of causation (if there are declines) were recommended –that might lead to an adaptive management plan. Protection and recovery plan for caribou would involve the designation of critical habitat management practices as such industry will be asked to participate – Dale contacted oil and gas representative with Talisman regarding funding. 	Sample size is too small to allow for rigorous statistical analysis. It would be beneficial to WCC and other resource users in the area to increase the number of animals being monitored and supply finding to ensure the monitoring continues throughout the life of the mine project. Aboriginal communities should be involved in planning and monitoring. British Columbia government agencies should commit the funds necessary for the caribou Protection and Recovery Plan.

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
22	Impact analysis for caribou focused on habitat loss within mine area rather than on the larger regional study area. Two First Nation communities have indicated that protection of caribou habitat is a priority; particularly, given the endangered status of the caribou.	July 23, 2004 meeting – Draft Meeting Notes page 4 & 5 (2) August 26, 2004 meeting - Final Meeting Notes, page 4 (item 5)	<ul style="list-style-type: none"> • Most of Seip’s telemetry points are >3km away from EB Pit. The EB Pit is of low importance for caribou. • WCC noted that EB Pit would be developed later – therefore WCC is has time to participate in studies related to potential CE’s on this population. WCC is willing to participate in protection and recovery plan • WCC will explicitly look for caribou migration route in area of EB Pit. 	There is little information (mapping and field information) provided on habitat loss over the regional area or its importance to the caribou. Sample size from the current study is small; as a result it is difficult to draw any concrete conclusions of potential impacts. WCC would benefit from funding a continued and more intensive monitoring program. As well, WCC should encourage government to undertake a CEA, as there are many other resource users in the area that many contribute to a negative impact on caribou populations. Aboriginal community representation should be involved in caribou monitoring and the development of the caribou Protection and Recovery Plan.
23	CEA does not discuss how change in amount and distribution of habitat will affect caribou reproduction and predation.	July 23, 2004 meeting – Draft Meeting Notes page 5 (3)	<ul style="list-style-type: none"> • No available data, the importance of monitoring data emphasized. • The loss or change of habitat within the 385 ha EB Pit is expected to be minimal over the regional area (94, 000 ha) • WCC is willing to participate in a Caribou Protection Plan. 	The concern should be addressed by a full and complete CEA study as noted elsewhere (points 13 & 14). The loss of habitat appears small, however, it is not clear how much of the regional study area is actually good caribou habitat. Aboriginal community representatives should be involved in the CEA work and the caribou protection and recovery

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
				plan.
24	Possibility of incidental find and kill of caribou by wolves during the early successional stages.	July 23, 2004 meeting – Draft Meeting Notes page 5 (e)	<ul style="list-style-type: none"> • Wolves prefer other species, but may move into area because of other species – resulting in incidental predation of caribou. • A short-term effect; the effect of WCC's disturbance is low in comparison to the amount of early seral habitat produced by timber harvest in the area. 	WCC should monitor for impacts as part of the Caribou Protection and Recovery Plan.
25	Increased traffic load may possibly act as partial barrier for caribou thereby reducing predator avoidance and caribou / vehicle collisions.	July 23, 2004 meeting – Draft Meeting Notes page 5 (f)	<ul style="list-style-type: none"> • Unlikely, migration of barren-ground caribou have no trouble crossing roads at the Lipin Ekati diamond mine in NWT. • WCC will require strict adherence to posted speed limits from its workers who will be instructed that wildlife has the right of way (unless unsafe). • WCC is only one of several industrial users (plus unknown amount of recreational traffic). 	<p>Caution should be used when evaluating the information from the Ekati and Polaris Mines, as these are completely different situations. Information collected in Alberta with respect to caribou and the road issue will likely be more relevant.</p> <p>WCC and British Columbia government should continue to gather relevant information.</p>

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# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
26	Potential impact of coal dust on caribou.	August 26, 2004 meeting -Final Meeting Notes, page 2 & 6 (no. 4 (d))	<ul style="list-style-type: none"> Likely not an issues according to University of Saskatoon, vet report; significant mitigation will be conducted to minimize coal dust releases. Working Group has reviewed this issue and contacted experts, and no evidence of likely impacts has been put forward. 	Dr. Neuz's information indicates that the issue of inhalation of particles by wildlife has not been researched, as it is not an issue in other mines. This is an area where the parties should encourage more research.
MOOSE				
27	Lack of moose may diminish and erode Aboriginal culture Two aboriginal communities are of the view that a restrictive access management plan may be required to offset	August 26, 2004 meeting -Final Meeting Notes, page 6, no. 4 (a)	<ul style="list-style-type: none"> Moose population will likely return once they become accustomed to development activities; early successional stages (after mine closure) will likely be a net benefit for moose population. Working Group participants agreed that this is likely true. 	Development of a coordinated access management and wildlife management plan may assist in mitigating effects on moose in the long term. Such plans should be developed with Aboriginal involvement.

Part 4 – Third Party Responses to Issues Identified by Treaty 8 First Nations and Kelly Lake Communities to December 10, 2004.

# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
	increased mortality from hunting and accidents.			
28	Increased moose hunting along roads due to increased traffic.	August 26, 2004 meeting -Final Meeting Notes, page 6, no. 4 (b)	<ul style="list-style-type: none"> • WCC clarified that the company had a no-hunting policy and a no-firearms policy (except that required for worker safety). It was noted that this issue was not restricted to WCC. The legacy of roads in any given area often increased hunting pressure in that area. • WCC will develop a formal firearms policy for the site. • WCC has developed a wildlife management plan framework. 	This will help on site. A broader initiative is required (as above in point 27).
29	Lack of support to claim that selenium has no negative effect on moose .	August 26, 2004 meeting -Final Meeting Notes, page 6, no. 4 (c)	<ul style="list-style-type: none"> • Peter Chapman provided adequate information regarding moose and possibility of selenium having negative impacts on moose. Discussion on what actions could be taken regarding spikes of selenium in plants (later eaten by ungulates); response provided by WCC (early warning via groundwater and other monitoring, management possibilities). • Forage samples collected will be sent to lab for analysis. • All responses were 	<p>Aboriginal community representative should be involved in a monitoring committee.</p> <p>WCC could hire/train Aboriginal people for monitoring activities.</p>

Part 4 – Third Party Responses to Issues Identified by Treaty 8 First Nations and Kelly Lake Communities to December 10, 2004.

# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
			accepted by Working Group.	
30	Impact of coal on moose.	August 26, 2004 meeting -Final Meeting Notes, page 6, no. 4 (d)	<ul style="list-style-type: none"> Likely not an issue according to University of Saskatoon, vet report; significant mitigation will be conducted to minimize coal dust releases. Working Group has reviewed this issue, and no evidence of likely impacts has been put forward. 	Dr. Neuz's information indicates that the issue of inhalation of particles by wildlife has not been researched, as it is not an issue in other mines. This is an area where research should be encouraged.
GRIZZLY BEARS				
31	Direct grizzly bear mortality from human/bear encounters.	July 23, 2004 meeting – Draft Meeting Notes page 6 (v. 1)	<ul style="list-style-type: none"> WCC will have an environmental supervisor on site WCC is developed a gun policy and a Wildlife –Human Conflict Avoidance Protocol. WCC has developed a wildlife management plan framework. 	WCC will need to monitor; Aboriginal community representative should be involved.
32	Lack of consideration for other grizzly bear activities.	July 23, 2004 meeting – Draft Meeting Notes page 6 (v. 2)	<ul style="list-style-type: none"> Tony Hamilton indicated that food source was not a major concern; winter denning habitat could be difficult to access (site specific); data 	Involving Aboriginals with a good understanding of traditional knowledge may lead to finding denning sites.

Part 4 – Third Party Responses to Issues Identified by Treaty 8 First Nations and Kelly Lake Communities to December 10, 2004.

# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
			<p>records of stable isotope analyses provided useful information.</p>	
33	<p>The extent of displacement of grizzly bears from industrial camps has been underestimated.</p>	<p>July 23, 2004 meeting – Draft Meeting Notes page 7 (v. 3), August 26, Final meeting notes</p>	<ul style="list-style-type: none"> • The 350m buffer represents an exclusion zone. Bears are assumed to be totally excluded from the buffer. In actuality, some use within the buffer zone is expected. 	<p>Owing to the current lack of data on the bear population in the area there appears to be no accurate way of predicting the potential displacement of bears.</p> <p>This should continue to be monitored during operations.</p>
34	<p>Road density was used to gauge the relative mortality risk of grizzly bears from road access, current road densities for site has been exceeded – need for further compensatory mechanisms to offset threshold exceedence.</p>	<p>September 10, 2004 – Draft Action Item Report page 3 (item 14 -15)</p>	<ul style="list-style-type: none"> • WCC does not have the authority to manage public access; the existing road network including the Perry Creek Road to EB is currently open to public and will remain so. • The EAO & MWLAP will discuss the issue of a sustainable resource management plan with the Ministry of Sustainable Resource Management (SRM) road decommissioning and limitation of public usage of existing roads. 	<p>There should be development of a broader access management plan with Aboriginal community participation.</p>

Part 4 – Third Party Responses to Issues Identified by Treaty 8 First Nations and Kelly Lake Communities to December 10, 2004.

# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
35	Impact of coal dust on grizzly bears.	<p>August 26, 2004 meeting -Final Meeting Notes, page 6</p> <p>July 23, 2004 meeting – Draft Meeting Notes page 7 (v. 3) no. 4 (d)</p>	<ul style="list-style-type: none"> Likely not an issues according to University of Saskatoon, vet report; significant mitigation will be conducted to minimize coal dust releases. Working Group has reviewed this issue, and no evidence of likely impacts has been put forward. 	<p>Dr. Neuz’s information indicates that the issue of inhalation of particles by wildlife has not been researched, as it is not an issue in other mines. Research on this topic should be encouraged.</p>
WATER QUALITY AND ACID ROCK DRAINAGE				
36	More details on wastes handling and mixing, no field tests to show effectiveness of technique at site.	July 21, 2004 meeting in Vancouver	<ul style="list-style-type: none"> A Detailed Waste Management Plan will be developed and submitted at the Permit Stage that includes information on waste rock handling and mixing. 	<p>WCC intends to monitor sulphur levels. Details at permitting stage. WCC should establish a monitoring committee with representation from the Aboriginal communities. This committee should ensure that monitoring information and implications are made publicly available in 'layman's' language.</p>
37	Need for a longer kinetic monitoring period.	July 21, 2004 meeting in Vancouver	<ul style="list-style-type: none"> WCC undertook and to provide an update of the waste rock and EB Leach pad at 26 weeks. 	<p>WCC provided kinetic testing update on Sept 29/04. Results supported proposed waste management plans.</p> <p>WCC should establish a monitoring committee with representation from the Aboriginal communities. This committee should ensure that monitoring information and implications are made</p>

Part 4 – Third Party Responses to Issues Identified by Treaty 8 First Nations and Kelly Lake Communities to December 10, 2004.

# ID	Issues Raised	Where Dealt With	Proponent Response	Third Party Reviewers Response
				publicly available in 'layman's' language.
38	No kinetic data on tailings or CCR fractions. WCC indicated these materials have the greatest potential for ARD and selenium leaching.	July 21, 2004 meeting in Vancouver	<ul style="list-style-type: none"> WCC stated that it would be very difficult to get enough CCR material (through drilling) to carry out large field kinetic testing. Lab kinetic tests are in progress. Operational monitoring of tailing and CCR proposed. 	Details to be provided at the permitting stage. WCC should establish a monitoring committee with representation from the Aboriginal communities. This committee should ensure that monitoring information and implications are made publicly available in 'layman's' language.

Abbreviations

ARD / ML - Acid Rock Drainage / Metal Leaching

CCR - Coarse Coal Rejects

CEA - Cumulative Effect Assessment

CPP - Caribou Protection Plan

EAO - Environmental Assessment Office

EVS - EVS Consulting Ltd.

FSR - Forest Service Road

IER - IER Planning, Research and Management Services

KLCN - Kelly Lake Cree Nation

KLFN - Kelly Lake First Nation

KLMSS - Kelly Lake Metis Settlement Society

LWBC - Land and Water British Columbia Inc.

MEM - Ministry of Energy and Mines

MLIB - McLeod Lake Indian Band

MWLAP - Ministry of Water, Land and Air Protection

NAG - Non acid generating

Norwest - Norwest Corporation

NPR - Neutralization Potential Ratio

OGC - Oil and Gas Commission

PAG - Potential acid generating

PNG - Petroleum and Natural Gas

SFN - Sauteau First Nation

URS - URS Vancouver

WCC - Western Canadian Coal Corp.

WMFN - West Moberly First Nation