



**A Class Environmental Assessment
for Activities of the Ministry of
Northern Development and Mines
under the *Mining Act***

Ontario Ministry of Northern Development and Mines
Mineral Development and Lands Branch
Approved: December 12, 2012

ISBN 978-1-4606-0821-0

TABLE OF CONTENTS

1.0	INTRODUCTION.....	6
1.1	Mining in Ontario	6
1.2	The Ministry of Northern Development and Mines.....	6
1.3	Ontario's <i>Mining Act</i>	6
1.4	Ontario's <i>Environmental Assessment Act</i>	7
1.4.1	Class Environmental Assessment	8
1.5	MNDM's Class Environmental Assessment.....	8
1.6	Overview of MNDM's Class Environmental Assessment.....	9
2.0	Undertakings Subject to MNDM's Class Environmental Assessment.....	11
2.1	Non-Discretionary Rights and Activities.....	11
2.2	Discretionary Tenure Decisions and Discretionary Rehabilitation Activities	11
2.2.1	Classes of Undertakings.....	11
2.2.2	Discretionary Tenure Decisions.....	18
2.2.2.1	Types of Discretionary Tenure Decisions	18
2.2.3	Discretionary Rehabilitation Activities.....	19
2.2.3.1	Prioritization of Abandoned Mine Sites.....	26
2.3	Similarities and Differences among Undertakings	27
2.3.1	Similarities among Undertakings	27
2.3.2	Differences among Undertakings	27
2.4	Proponent	28
2.4.1	Third Parties	28
2.4.2	Partners.....	29
2.5	Range of Environmental Settings and Effects	29
2.5.1	Consideration of Alternatives.....	30

2.5.2	Consideration of Potential Environmental Effects.....	30
2.5.2.1	Considerations for Discretionary Tenure Decisions.....	30
2.5.2.2	Considerations for Discretionary Rehabilitation Activities.....	31
3.0	SCREENING AND CATEGORIES	32
3.1	Screening	32
3.1.1	Screening Criteria.....	32
3.1.1.1	Pre-assigned Projects	33
3.1.1.2	Part 1 Screening Criteria	35
3.1.1.3	Part 2 Screening Criteria	36
3.1.2	Anticipated Level of Public Interest.....	42
3.2	Categories	43
3.2.1	Category A: No Potential Environmental Effects	43
3.2.1.1	Notification.....	44
3.2.1.2	Project Review	44
3.2.2	Category B: Low Potential Environmental Effects	44
3.2.2.1	Notification.....	44
3.2.2.2	Project Review	44
3.2.3	Category C: Moderate Potential Environmental Effects.....	45
3.2.3.1	Notification.....	45
3.2.3.2	Project Review	45
3.2.4	Category D: Significant Potential Environmental Effects	46
3.2.4.1	Notification.....	46
3.2.4.2	Project Review	46
3.2.5	Individual Environmental Assessment	47
4.0	PROJECT REVIEW AND PLANNING PROCESS	48
4.1	Category B Project Review and Planning Process	48

4.1.1	Technical Requirements	48
4.1.1.1	Project Description	48
4.1.1.2	Project Documentation	50
4.1.2	Consultation Requirements	51
4.1.2.1	Notice of Opportunity to Provide Input.....	51
4.1.2.2	Statement of Completion.....	51
4.2	Category C Project Review Process.....	52
4.2.1	Technical Requirements.....	52
4.2.1.1	Project Description	52
4.2.1.2	Project Documentation	53
4.2.2	Consultation Requirements	53
4.2.2.1	Notice of Opportunity to Provide Input.....	53
4.2.2.2	Notice of Completion	54
4.2.2.3	Statement of Completion.....	55
4.3	Category D Project Review Process.....	55
4.3.1	Technical Requirements.....	56
4.3.1.1	Project Description and Consultation Plan	56
4.3.1.2	Draft Environmental Study Report.....	57
4.3.1.3	Final Environmental Study Report.....	57
4.3.2	Consultation Requirements	58
4.3.2.1	Notice of Commencement.....	58
4.3.2.2	Notice of Opportunity to Provide Input on the Draft Environmental Study Report.....	59
4.3.2.3	Notice of Completion of Final Environmental Study Report....	60
4.3.2.4	Statement of Completion.....	61
4.4	Phases.....	61

4.5	Coordination and Integration with Other Approval Processes	64
4.6	Mitigation	64
4.6.1	Typical Mitigation Measures	65
4.7	Effects Monitoring	65
5.0	Consultation	67
5.1	Consultation with Interested Persons	67
5.2	Consultation Methods	70
6.0	Aboriginal Consultation.....	72
6.1	Projects undertaken by MNDM.....	73
6.2	Projects with a Third-Party Applicant or Partner	74
7.0	Class EA Administrative Procedures	75
7.1	Compliance Monitoring and Reporting.....	75
7.1.1	Compliance Monitoring.....	75
7.1.2	Annual Reporting.....	76
7.1.3	Monitoring Projects with Part II Orders	77
7.2	Amendments to MNDM's Class EA	77
7.2.1	Minor Amendments	78
7.2.2	Major Amendments	78
7.3	Review of the Class EA	79
7.4	Emergencies.....	79
7.4.1	Emergencies Measures Pursuant to Section 148 of the <i>Mining Act</i>	80
7.4.2	Emergencies when Section 148 is not Applicable	80
7.4.2.1	Notification to the Ministry of the Environment	80
7.4.3	Consultation Requirements for Emergencies	80
7.5	Part II Order Process.....	81
7.5.1	Making a Part II Order Request.....	81

7.5.2	MOE Review of the Part II Order Request.....	83
7.5.3	Minister of the Environment’s Decision on the Part II Order Request	83
7.6	Changing a Project after the Class EA Process is Complete.....	84
7.6.1	Addendum Procedure.....	85
7.6.2	Lapse of Time.....	86
APPENDIX 1: GLOSSARY		87
APPENDIX 2: REHABILITATION METHODS		96
APPENDIX 3: SCREENING CRITERIA PROCEDURE		104
APPENDIX 4: SCREENING DOCUMENTATION FORM.....		106
APPENDIX 5: HERITAGE MANAGEMENT PROCESS - DRAFT		111
APPENDIX 6: TEMPLATES.....		142
APPENDIX 7: RECORD OF CONSULTATION TEMPLATE		158
APPENDIX 8: EMERGENCY INCIDENT REPORT FORM		162

LIST OF TABLES

Table 1. MNDM’s Discretionary Activities under the <i>Mining Act</i>	12
Table 2. Mine Rehabilitation Methods	21
Table 3. Discretionary Rehabilitation Activities	25
Table 4. Pre-screened Discretionary Tenure Decisions	33
Table 5. Part 1 Screening Criteria for Discretionary Tenure Decisions	35
Table 6. Part 2 Screening Criteria.....	37
Table 7: Phases of the Class EA Planning Process.....	62

LIST OF FIGURES

Figure 1. Overview of MNDM’s Class Environmental Assessment Process.....	10
Figure 2. Project Review Process.....	49

1.0 Introduction

1.1 Mining in Ontario

Ontario's mining legacy spans more than two centuries. The mining industry has been, and continues to be, an essential part of Ontario's economy. The mineral sector is a significant contributor to the economic well-being and high standard of living in Ontario and is an especially significant economic base of many small communities, towns, and cities in Northern Ontario, including Sudbury, Red Lake, Timmins, Marathon and Kirkland Lake.

The mineral sector in Ontario pursues mineral *exploration* and *mineral development* (italicized terms are defined in the glossary in Appendix 1). This sector is made up of individual prospectors, junior *exploration* and *mineral development* companies and major mineral producers.

1.2 The Ministry of Northern Development and Mines

The Ontario Ministry of Northern Development and Mines (MNDM) delivers programs that help Northern Ontario's economy and communities prosper and grow, regulate Ontario's mineral industry province wide, and ensure *geoscience* information is available and used to support a wide range of public benefits.

MNDM's Mines and Minerals Division works to support responsible land use management and mineral resource development by administering Ontario's *Mining Act* and providing public *geoscience* information and client services.

The Mines and Minerals Division is an acknowledged global leader in the sustainable development of mineral resources, contributing to a robust economy, strong communities, and a healthy *environment*.

1.3 Ontario's *Mining Act*

The *Mining Act* encourages *prospecting*, *mining claim staking* and *exploration* for the development of mineral resources in a manner consistent with the recognition and affirmation of existing Aboriginal¹ and treaty rights in Section 35 of the *Constitution Act* (1982), including the duty to consult, and to minimize the impact

¹ The word "Aboriginal" is used in accordance with Section 35 of the *Constitution Act* and means "First Nations, Métis and Inuit."

of these activities on human health and safety and the *environment*. The Mineral Development and Lands Branch within the Mines and Minerals Division administers the *Mining Act* by:

- providing orderly and fair processes to ensure the availability of *Crown land* for *prospecting*, *exploration* and acquisition for *mineral development* purposes;
- encouraging, promoting and facilitating the sustained economic development of Ontario's mineral resources in an environmentally responsible manner; and
- administering Part VII of the *Mining Act* which deals principally with the rehabilitation of mines and *mining lands* in the province of Ontario.

The Mines and Mineral Division also works through its Ontario Geological Survey Branch to carry out *geoscience* projects across the province that describe Ontario's geology and earth resources, such as mineral, energy and groundwater. The *geoscience* studies are conducted to support key government priorities, including sustainable economic development, land use planning, groundwater opportunity and protection, renewable energy, and public health and safety.

1.4 Ontario's *Environmental Assessment Act*

The *Environmental Assessment Act* is a provincial statute that sets out a planning and decision-making process to evaluate the potential environmental effects of a proposed *undertaking*.

An environmental assessment is a study to assess the potential environmental effects of a project undertaken by or on behalf of the government of Ontario, or by public bodies, municipalities or designated private sector parties.

Private sector (e.g., mineral sector) projects are not subject to the *Environmental Assessment Act* unless the project triggers the environmental assessment requirements of another ministry or agency, or is designated by regulation or through a voluntary agreement with the Minister of the Environment.

The environmental assessment process requires that a reasonable range of *alternatives to* and *alternative methods* for a project are considered. The *Environmental Assessment Act* sets out a planning and decision-making process with the purpose of providing for protection, conservation and wise management of the *environment* in Ontario.

1.4.1 Class Environmental Assessment

A Class Environmental Assessment (Class EA) is a document that describes a planning and decision-making process for groups (or classes) of activities for which a *proponent* must conduct an environmental assessment.

The classes of activities eligible for review under a Class EA must be routine in nature, with predictable and manageable environmental effects.

MNDM's Class EA has been prepared in accordance with Section 14 of the *Environmental Assessment Act*. The Class EA is an approved planning procedure for MNDM's applicable activities. The Class EA process provides a decision-making structure that enables the requirements of the *Environmental Assessment Act* to be met.

MNDM's Class EA will contribute to sustainable development by ensuring that MNDM's activities under the *Mining Act* that are subject to the *Environmental Assessment Act* are carried out in a manner that provides for long-term economic and environmental sustainability.

1.5 MNDM's Class Environmental Assessment

The purpose of MNDM's Class EA is to provide an effective process for screening, evaluating and mitigating the potential environmental effects of activities within the class and to provide appropriate consultation opportunities to ensure that all potential environmental effects of a project are considered.

For the purposes of this Class EA, a discretionary tenure decision or discretionary rehabilitation activity is an *undertaking* (or project) by MNDM.

The *undertakings* included in MNDM's Class EA were previously covered under the *Environmental Assessment Act* by *Declaration Orders*: MNDM-3 for "discretionary mining land grants" and MNDM-4 for "abandoned mine hazard rehabilitation."

MNDM's Class EA replaces *Environmental Assessment Act* coverage for the activities under the *Declaration Orders*. This document:

- provides long-term *Environmental Assessment Act* coverage for MNDM's activities under the *Mining Act* that have predictable and manageable environmental effects;
- provides clear and consistent direction about assessment and study processes in compliance with the *Environmental Assessment Act*;
- allows MNDM to identify and assess the significance of any potential environmental effects from activities subject to its Class EA;

- allows MNDM to plan, design and amend activities in a consistent manner to mitigate potential negative environmental effects from activities subject to its Class EA; and
- ensures that MNDM is consistent with other Ontario ministries that have long-term *Environmental Assessment Act* coverage.

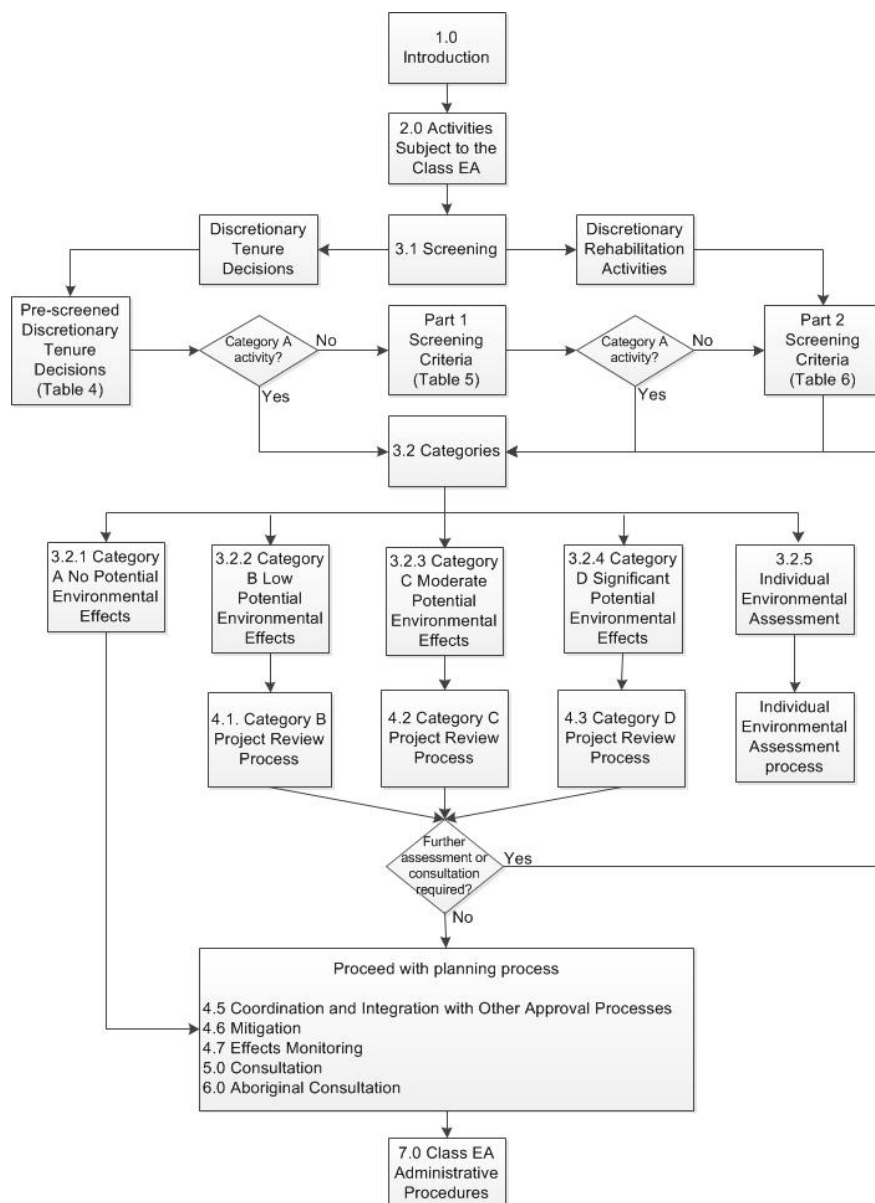
1.6 Overview of MNDM's Class Environmental Assessment

As illustrated in Figure 1, this Class EA is organized into the following sections:

- Section 1.0 provides an introduction to the Class EA, describes MNDM's mandate and purpose, and describes the environmental assessment process in Ontario.
- Section 2.0 describes MNDM's *undertakings* that are subject to this Class EA, MNDM's role as the *proponent* of this Class EA, and the environmental settings and effects that are to be considered when using this Class EA.
- Section 3.0 describes the processes for screening and categorizing *undertakings*.
- Section 4.0 describes the project review and planning process for *undertakings* once they have been screened and categorized, and also addresses mitigation and effects monitoring.
- Section 5.0 describes the consultation process for *undertakings* once they have been screened and categorized.
- Section 6.0 describes the Aboriginal consultation process for *undertakings* once they have been screened and categorized, including the *Crown's* duty to consult.
- Section 7.0 outlines the administrative procedures for this Class EA, including compliance monitoring and reporting, amendments, emergencies, the Part II Order process, and proceeding with an *undertaking* after the Class EA process has been completed.
- Appendix 1 contains a glossary of terms.
- Appendix 2 provides a description of methods that may be used to *rehabilitate* different types of *mine hazards*.
- Appendix 3 provides a description of the screening procedure.
- Appendix 4 provides a form for documenting the screening process.

- Appendix 5 contains MNDM's Heritage Management Process (Draft) for the identification, evaluation and assessment of known and potential *cultural heritage resources*.
- Appendix 6 contains templates for the notices required as part of the project review and planning process.
- Appendix 7 contains a Record of Consultation template.
- Appendix 8 contains an *Emergency Incident Report Form*.

Figure 1. Overview of MNDM's Class Environmental Assessment Process



2.0 Undertakings Subject to MNDM's Class Environmental Assessment

This Class EA encompasses only those *undertakings* over which MNDM has a discretionary decision-making ability. Most *Mining Act dispositions* are non-discretionary in nature.

2.1 Non-Discretionary Rights and Activities

The majority of *Crown land* and *Crown-held mining rights* in Ontario are open to *prospecting* and *mining claim staking* with the exception of lands that have been withdrawn from, or are otherwise not open for, *mining claim staking*. The majority of *mining lands* are staked *mining claims* located on *Crown land*, primarily in Northern Ontario.

The statutory entitlements to stake a *mining claim*, and to be issued a *mining lease*, where no decision or approval by MNDM is required, are not subject to the *Environmental Assessment Act* or the requirements of this Class EA.

2.2 Discretionary Tenure Decisions and Discretionary Rehabilitation Activities

MNDM's Class EA encompasses only discretionary tenure decisions and discretionary rehabilitation activities by MNDM under the *Mining Act*.

Despite the non-discretionary nature of most *Mining Act dispositions*, MNDM has discretionary decision-making abilities in certain special circumstances to grant rights (i.e., *mining rights* and/or *surface rights*), interests, or title in *Crown lands* for mining and mining-related purposes, or to sell or dispose of mining-related *chattels* and other Crown resources. In certain circumstances, MNDM also undertakes the discretionary rehabilitation of *mine hazards* in Ontario.

2.2.1 Classes of Undertakings

The following classes of *undertakings*, formerly subject to *Declaration Orders* MNDM-3 for Discretionary Mining Land Grants and MNDM-4 for Abandoned Mine Hazard Rehabilitation, are subject to this Class EA:

1. MNDM's discretionary tenure decisions related to *surface rights*, *mining rights* and *chattels*; and
2. MNDM-administered discretionary mine rehabilitation activities.

MNDM’s discretionary tenure decisions and discretionary rehabilitation activities under the *Mining Act* are listed in Table 1 and described in the following sections.

Table 1. MNDM’s Discretionary Activities under the *Mining Act*

<i>Mining Act</i> Section	Discretionary Activity	Description of Activity
29	Lands not open for staking without consent of Minister ²	<p>The following lands are not open for staking, unless the Minister of Northern Development and Mines (“the Minister”) provides consent:</p> <ul style="list-style-type: none"> ○ lots within a registered plan of subdivision; ○ lands designated by the Ministry of Natural Resources as “summer resorts”; ○ residential/cottage lots less than one hectare each; ○ lands within 100 metres of a residential/cottage dwelling or boundary line; ○ railway land; ○ natural gas, oil or water pipeline corridors; ○ airports; ○ developed municipal land used for public purposes (e.g., buildings, sports fields, arenas, libraries, parks or skating rinks); and ○ lands required for the operation of an artificial reservoir or dam.

² If and when sections 29. (1) and 29. (2) of the *Mining Act* are proclaimed they will replace Section 29 in this table.

Mining Act Section	Discretionary Activity	Description of Activity
34.	<i>Surface rights</i> for mining operations within 45 metres of a road or highway	Surface mining operations cannot be carried out for a <i>mining claim</i> within 45 metres of a road or highway that is maintained by the Ministry of Transportation unless the Minister of Northern Development and Mines gives written consent.
39. (2)	<i>Surface rights</i> for mining operations on agricultural lands	A person who stakes a <i>mining claim</i> does not have any right, title or interest in or to the <i>surface rights</i> . If <i>surface rights</i> are needed to carry out mining operations, the Minister may determine which parts of the <i>surface rights</i> are required for the mining operations and, if they are available, the Minister may sell or award the <i>surface rights</i> to the <i>mining claim</i> holder.
41. (3)	Termination of <i>licence of occupation</i> for rent arrears	<i>Licence of occupation</i> holders must pay annual rent for the <i>licence of occupation</i> . If the rental payment is in arrears for two years or more, MNDM may terminate the <i>licence of occupation</i> .

Mining Act Section	Discretionary Activity	Description of Activity
41. (6)	Exchange of a <i>licence of occupation</i> for a <i>mining lease</i>	The holder of a <i>licence of occupation</i> may apply to the Minister for a lease and surrender their <i>licence of occupation</i> .
52. (1) ³	Permission to test mineral content (<i>bulk sample</i>)	The Minister's written permission, subject to such conditions as are prescribed, must be obtained prior to mining, milling or refining more than the prescribed quantity of any mineral-bearing substance on an unpatented <i>mining claim</i> .
53. (1) and (2)	Disposition of <i>Crown-owned chattels</i>	If a <i>mining claim, mining lands or mining rights</i> are abandoned, surrendered, cancelled, forfeited or terminated, any buildings, structures, machinery, chattels, personal property, ore, mineral, slimes and <i>tailings</i> must be removed from the land within six months. Otherwise, all <i>chattels</i> at the location automatically belong to the <i>Crown</i> (unless otherwise directed by the Minister within two years). The Minister may sell or dispose of any <i>chattels</i> that have become the property of the <i>Crown</i> .

³ MNDM is currently developing and revising certain regulations as part of its modernization of the *Mining Act*. If implemented, those changes could impact the current regulation of *bulk samples*, as activities associated with bulk sampling could be subject to the requirement to obtain an *exploration* permit issued pursuant to the as-yet unproclaimed Section 78.3 of the Act. If and when this section is proclaimed and these regulations are filed, the Class EA review process for *bulk samples* will be coordinated with the *exploration* permit process in order to meet the requirements of the Class EA.

Mining Act Section	Discretionary Activity	Description of Activity
80. (1)	Reduction in area of claim where less than the prescribed area is necessary	If a <i>mining claim</i> has been staked in an area where the <i>surface rights</i> have already been granted, sold, leased or located to someone other than the staker, the Provincial Mining Recorder ⁴ may decide to reduce the area of the claim if, in his/her opinion, a smaller area is sufficient for working the mines and minerals.
80. (2)	Exclusion of part of <i>surface rights</i> from <i>mining claim</i>	If a <i>mining claim</i> has been staked in an area where there are pre-existing buildings or improvements, the Provincial Mining Recorder ⁵ may exclude certain areas of the <i>surface rights</i> that are needed for the occupation and utilization of the buildings or improvements.
81. (10)	Termination of 21-year <i>mining lease</i> for rent arrears	<i>Mining lease</i> holders must pay annual rent for the lease. If the rental payment is in arrears for two years or more, MNDM may terminate the lease.
82. (5)	Termination of 10-year lease for rent arrears	<i>Mining lease</i> holders must pay annual rent for the lease. If the rental payment is in arrears for two years or more, MNDM may terminate the lease.

⁴ Note: the Mining and Lands Commissioner may also make a decision under Section 80. (1) and 80. (2) of the *Mining Act* but his/her decisions are not discretionary decisions made by MNDM and are therefore not subject to this Class EA.

⁵ Note: same as above.

Mining Act Section	Discretionary Activity	Description of Activity
83. (1)	Exchange of lease for one or more replacement leases	<i>Mining lease</i> holders may apply to the Minister to exchange their lease for multiple smaller leases.
84. (1)	<i>Surface rights</i> lease	The lessee or owner of <i>mining rights</i> or a holder of a <i>licence of occupation</i> may apply to the Minister for a lease of available <i>surface rights</i> for the purpose of mining or <i>exploration</i> inside or outside the lands covered by their <i>mining rights</i> .
93.	Correction of error on title document	If a mining title document (i.e., letters patent, lease, licence or other instrument of title) contains any errors, the Deputy Minister of Northern Development and Mines (“the Deputy Minister”) may direct the document to be cancelled and a correct one to be issued.
94.	Annulment of survey or subdivision and issuance of revised description	Where the Minister of Natural Resources has annulled a survey or subdivision, in whole or in part, under Section 7. (1) of the <i>Public Lands Act</i> , the Deputy Minister of Northern Development and Mines may cancel the related mining title document (i.e., letters patent, lease, licence or other instrument of title) and direct that a document be issued with the revised description of the land or <i>mining rights</i> .

Mining Act Section	Discretionary Activity	Description of Activity
97. (2)	Correction of mining title for lands accidentally omitted at time of staking	If two or more claims are intended to be adjacent but upon being surveyed reveal that a piece of land (known as a "fraction" or a "gore") was accidentally omitted in either of the original <i>mining claims</i> , the Minister may award the fraction or gore to the recorded claim holder or holders as he or she sees fit.
145. (2) and (5); 153.2 (4)	Realization of <i>financial assurance</i> /security to carry out rehabilitation measures	The Director of Mine Rehabilitation ("the Director") may have the <i>Crown</i> or an agent of the <i>Crown</i> rehabilitate a <i>mine hazard</i> . If applicable, the <i>Crown</i> may use any <i>financial assurance</i> that was submitted with a <i>closure plan</i> to carry out the rehabilitation measure.
147. (2)	<i>Crown</i> intervention to rehabilitate a <i>mine hazard</i>	If person or company that is responsible for a <i>mine hazard</i> does not comply with a Director's order to file a <i>closure plan</i> to <i>rehabilitate a mine hazard</i> , the Director may, after having given notice to the person or company, have the <i>Crown</i> (or an agent of the <i>Crown</i> that has been contracted by MNDM) <i>rehabilitate</i> the mine hazard.
176. (3)	Issuance or validation of <i>mining lease(s)</i> , <i>licence(s) of occupation</i> , patents, etc., under an Order-in-Council	In special circumstances the Minister may, subject to the approval of the Lieutenant Governor in Council, issue or validate unpatented <i>mining claims</i> , or a <i>licence of occupation</i> , lease or patent of any <i>mining land</i> or <i>mining rights</i> on such terms and conditions as the Minister considers appropriate.

Mining Act Section	Discretionary Activity	Description of Activity
183. (1)	Voluntary surrender of <i>mining lands</i>	The owner, lessee or holder of any <i>mining rights</i> or <i>mining lands</i> may surrender their lands and rights to the <i>Crown</i> only upon such terms as acceptable to the Minister.
184. (4)	Transfer of forfeited “interest” to co-owner of mining rights	Where <i>mining lands</i> or <i>mining rights</i> have been forfeited to or become the property of the <i>Crown</i> as described above, a co-owner with a partial interest in the <i>mining lands</i> or <i>mining rights</i> may apply to the Minister for a transfer of the forfeited interest to the co-owner. The Minister may do so if the co-owner pays an appropriate price per hectare as established by MNDM.
197. (3)	Forfeiture of <i>mining patent</i> for tax arrears	<i>Mining patent</i> holders must pay annual rent for the patent. If the rental payment is in arrears for two years or more, MNDM may terminate the patent.

2.2.2 Discretionary Tenure Decisions

MNDM’s discretionary tenure decisions in this Class EA are related to: *surface rights*, *mining rights* and *chattels*. The majority of *Mining Act dispositions* are not discretionary.

2.2.2.1 Types of Discretionary Tenure Decisions

There are three general types of discretionary tenure decisions that are made by MNDM under the *Mining Act* and which are subject to the *Environmental Assessment Act*.

1. *disposition* of *Crown* resources;
2. conversion of existing land tenure; and
3. forfeiture or surrender of land title.

1. Disposition of Crown Resources

MNDM has discretion to grant certain or all rights to *Crown land* in some circumstances, including where the rights are not otherwise available by statutory entitlement under the *Mining Act*.

Examples of *dispositions* include: an *exploratory licence of occupation* for lands that are not open to claim staking; giving permission to remove bulk minerals or ores for testing purposes (*bulk samples*); a *surface rights* lease for mining purposes where the *mining rights* are already privately held; and disposing of or selling *chattels* such as buildings, rock piles or *tailings* areas that have become the property of the *Crown* when *mining rights* have been forfeited or surrendered to the *Crown*.

2. Conversion of Existing Land Tenure

A person or a company with mining interests in land may submit a request to MNDM to convert or change their mining land tenure. These conversions of title are often related to the *exploration* and *mineral development* needs of the relevant person or company.

Conversions of existing tenure include: converting a *licence of occupation* to a *mining lease*; converting a *mining lease* to an unpatented *mining claim*; converting a *mining lease* to a *mining patent*, converting a single large-sized *mining lease* into multiple small-sized *mining leases*; or converting multiple small-sized *mining leases* to a single large-sized *mining lease*.

3. Forfeiture or Surrender of Title

Forfeitures of title include the forfeit of *mining rights* where the *mining rights* holder is in non-compliance with statutory or contractual obligations to the *Crown* or is in arrears for *mining land* tax payments. Surrender of title includes voluntary surrender of title because the *mining rights* holder may not wish to use the land for mining purposes and therefore does not want to pay mining land taxes.

MNDM makes decisions regarding the forfeiture or surrender of *mining rights* to the *Crown* based in part on whether or not there is a *mine hazard* at the location. MNDM may decide to not accept surrender, termination or forfeiture to ensure that the responsibility of rehabilitating a *mine hazard* remains with the *mining rights* holder.

2.2.3 Discretionary Rehabilitation Activities

Ontario has been an international leader in mine rehabilitation since 1991. *Mine hazards* are typically *rehabilitated* in accordance with the *Mine Rehabilitation Code of Ontario* (Ontario Regulation 240/00) – which applies to all persons engaged in the rehabilitation of mines and *mine hazards* – and other applicable legislation. The code was developed by MNDM in the mid-1990s – based on

existing guidelines developed by MNDM specialists – and has been used as the basis for mine rehabilitation legislation in other jurisdictions.

Discretionary rehabilitation activities in this Class EA are related to *mine hazard* rehabilitation measures undertaken by MNDM (or by an agent of the *Crown* that has been contracted by MNDM to undertake rehabilitation measures). The goal of rehabilitation is to restore the land on which a *mine hazard* is located to its former use or condition or make it suitable for some other use; all aspects of the *environment*, as defined in the *Environmental Assessment Act* (see Section 2.5), are considered prior to the rehabilitation of a *mine hazard*.

In 1991 the *Mining Act* was amended to require previous or current owners to *rehabilitate mine hazards*; however, prior to this amendment, Ontario was left with a legacy of thousands of *abandoned mine* sites.

The majority of MNDM discretionary rehabilitation activities take place on *Crown land* on *abandoned mine* sites. Under certain circumstances, such as a situation where intervention by the *Crown* is needed to rehabilitate a privately-held *mine hazard*, MNDM (or an agent of the *Crown* that has been contracted by MNDM to undertake rehabilitation measures) may enter private land to undertake rehabilitation measures (e.g., *Crown* intervention to rehabilitate a *mine hazard* on private land under Section 147.2 of the *Mining Act*).

Discretionary rehabilitation activities range from being small in size with minimal potential environmental effects to large-scale engineering and design activities that involve the disposal of hazardous materials and containment and treatment of acidic and metal-laden discharges.

Each *mine hazard* is unique (e.g., size, location, age, proximity to other *mine hazards*, condition of the surrounding environment, amount of past disturbance) and the method(s) used to *rehabilitate* them, including mitigation and monitoring methods, must be tailored to their individual characteristics and the requirements of the *Mine Rehabilitation Code of Ontario* (Ontario Regulation 240/00). Table 2 lists various methods MNDM (or an agent of the *Crown* that has been contracted by MNDM to undertake rehabilitation measures) may use to *rehabilitate* different types of *mine hazards*. This list is not exhaustive; there may be other rehabilitation methods available now and new methods may be used in the future.

Table 2. Mine Rehabilitation Methods

Rehabilitation Method	Description
A Backfill with aggregate	Use mine rock, or other aggregate material, to completely fill a mine feature.
B Concrete cap or plug	Construct a concrete cap or plug that meets or exceeds the requirements of the <i>Mine Rehabilitation Code of Ontario</i> (“the Code”) to close a mine opening.
C Bat-friendly gate	Construct a structure to close a mine opening permanently, which stops access to humans but allows access to bats.
D Blast in	Completely fill/remove a mine feature by drilling off the surrounding and/or overlaying rock and then using explosives to collapse the mine feature.
E Remove, relocate or demolish	Take away, remove, tear down, or raze, buildings and/or other infrastructure, including pipelines, tramways and electrical lines.
F Fill with concrete	Use concrete to completely fill a mine feature.
G Fence	Construct a barrier of chain-link “hydro-standard” fencing material that meets or exceeds the requirements of the Code around the perimeter of a mine feature to prevent access.
H Berm	Construct a mound or wall of aggregate material (e.g., rock, earth or sand) to meet or exceed the requirements of the Code to prevent access.

Rehabilitation Method	Description
I Flood	Fill a mine feature with water to meet or exceed the requirements of the Code.
J Post signs	Install warning signs around the perimeter of a mine feature to warn of its hazardous nature and discourage access. Posting signs is only a “first response” by MNDM to address health and safety concerns and is not a permanent measure.
K Wet cover	Construct a barrier layer of water or water-saturated aggregate material over <i>tailings</i> or waste rock to limit the migration of oxygen to the underlying materials and reduce the generation of acidic drainage and metal leaching as specified in the Code.
L Dry cover	Construct a barrier layer comprised of one or more aggregate and/or synthetic materials over tailings or waste rock to limit the migration of oxygen to the underlying materials and to reduce the generation of acidic drainage and metal leaching as specified within the Code.
M Boulder fence	Construct a barrier of large pieces of rock that meets or exceeds the requirements of the Code around the perimeter of a mine feature to prevent access.
N Other uses	Use a mine feature (typically, but not limited to, buildings) for a purpose for which it was not originally designed for. Examples include headframes or adits used for tourism, mine buildings used as warehouses, offices, etc.

Rehabilitation Method	Description
O Bury	Use mine rock or other aggregate material to completely cover a mine feature, such as a building or other infrastructure. Also, place material resulting from various rehabilitation measures into a landfill (e.g., broken concrete pieces, fibreglass or other inert waste products).
P Recycle	Relocate scrap material (e.g., steel, glass or various other metals) from a demolished mine feature such as a building or other infrastructure to a recycling facility where it can be reused for other purposes.
Q Long-term monitoring	Periodically keep track of, test, sample, or check on a mine hazard, which can be a physical hazard or feature (e.g., <i>tailings dam</i>) or an environmental hazard or feature (e.g., water quality near <i>tailings area</i>). Mine hazards are monitored in order to determine/predict environmental toxicity and/or physical stability.
R Breach	Break, rupture, cut or tear an opening in a mine feature, such as a <i>tailings impoundment dam</i> .
S Incinerate	Burn flammable materials such as wood and various types of fuels and oils at high temperature in compliance with all applicable legislation.
T Vegetate	Grow plant material on the surface of a mine feature, such as a <i>tailings or waste rock area</i> , to stabilize the material.
U Do nothing	Leave as is.

Rehabilitation Method	Description
V Process (e.g., mill, and/or smelt)	Extract useful and/or valuable commodities from toxic materials, thereby making those materials less toxic.
W Impound	Enclose or contain a material to prevent its migration to the surrounding <i>environment</i> .
X Collect and treat	Gather and/or accumulate contamination from a mine feature (e.g., acidic run-off) and process or decontaminate it to reduce its toxicity.
Y Stabilize	Make a <i>mine hazard</i> stable by revegetating, shoring (supporting), and/or otherwise correcting unsafe or deteriorating conditions (e.g., revegetate a <i>tailings</i> area to prevent erosion).
Z Disposal	The removal of material to an appropriate location or facility for its destruction or long-term storage.

Table 3 lists of the types of *mine hazards* that MNDM typically *rehabilitates* and the methods listed in Table 2 that can be used individually, or in combination, to *rehabilitate* them. Again, this list is not exhaustive; there may be additional types of *mine hazards*, and new rehabilitation methods may be developed in the future.

See Appendix 2 for a more detailed version of Table 3.

Table 3. Discretionary Rehabilitation Activities

Hazard Grouping	Type of Hazard	Rehabilitation Method
Openings to surface	Adits	A, B, C, D, J, Y
	Areas of subsidence	A, B, D, F, G, J, M, Y
	Exploration shafts	A, B, C, G
	Mine shafts	A, B, C, G
	Open cuts	A, B, D, F, G, Y
	Open pits	A, D, G, H, I, J, M, Y
	Portals, declines or ramps	A, B, C, D, J
	Raises to surface	A, B, C, G
	Stopes to surface	A, B, D, F, G, J, M, Y
	Stripping	A, G, J, M, Y
	Trenches	Trenches
Buildings	Administrative building	E, N, O
	Explosives building	E, J, Z
	Head frame	E, N
	Hoist room	E
	Housing	E, N, O
	Laboratory	E, N, Z
	Mill / mill foundation	E, O, Z
	Miscellaneous structures	E, O, Z
	Other infrastructure	E, N, O, Z
	Smelter / refinery	E, Z
	Smoke stack	E, Z
	Water tower	E, N
	Equipment	Electrical substations
Equipment		E, N, O, P
Tramways		E, N, O, P
Drainage control structures	Decant tower	Q
	Drainage control structure	K, Q
	<i>Tailings dam</i>	Q, R, T

Hazard Grouping	Type of Hazard	Rehabilitation Method
Chemical storage facilities	Chemical storage facilities	J, Q, Z
	Chemical wastes	J, P, S, Z
	Fuel storage	J, N, P, Q, S, Z
	Polychlorinated biphenyl (PCB) storage	J, P, S, Z
Other underground workings	Lateral workings	A, B, D, F, I, Q
	Stope	A, B, D, F, G, H, J, M, Q, U
	Winze	A, Q, U
Mine subsidence (crown pillars)	Areas of subsidence	B, D, G, H, J, M, Q, U
Stockpiles	Ore stockpiles	G, H, J, K, L, M, O, Q, T, U, V, X, Y, Z
	Overburden stockpiles	G, H, J, K, L, M, N, O, Q, T, U, X, Y, Z
	Waste-rock dumps	G, H, J, K, L, M, N, O, Q, T, U, X, Y, Z
Tailings	Confined <i>tailings</i>	E, I, K, L, Q, T, U, V, W, X, Y, Z
	Unconfined <i>tailings</i>	E, I, K, L, Q, T, U, V, W, X, Y, Z
Acid / neutral mine drainage	Acid-generating <i>tailings</i>	E, G, H, I, J, K, L, M, Q, T, V, W, X, Y, Z
	<i>Heap leach</i>	E, G, H, J, K, L, M, Q, T, U, V, X, Y, Z
	Roasting yards	E, G, H, J, K, L, M, Q, T, U, V, X, Y, Z
	Treatment plants	E, J, N, P, Q, U, Z

2.2.3.1 Prioritization of Abandoned Mine Sites

MNDM *rehabilitates abandoned mines* in Ontario, most of which are on *Crown land*. In 2008, MNDM categorized *abandoned mine* sites in order to evaluate and prioritize human health and safety risks and environmental contamination risks. The highest priority sites are those that pose the biggest threats to human health and safety and environmental contamination.

There are over 4,000 *abandoned mine* sites in Ontario over which MNDM has some form of authority. Fewer than 20 sites fall into the category with the highest risk of potential human health and safety or environmental contamination risks (e.g., major past-producing mine sites with extensive infrastructure and large *tailings* ponds or waste rock piles with acid rock drainage concerns).

Approximately 115 sites fall into the category with the potential for limited environmental contamination risks and moderate human health and safety risks (e.g., dilapidated buildings, mine workings open to the surface, and minor amounts of *tailings*, waste rock or other potential chemical contaminants).

Approximately 1,600 of the sites contain only physical hazards (e.g., *mine shafts*, *raises* and *adits*). The remaining 2,300 sites have minimal or no significant physical hazards (e.g., shallow trenches or pits).

2.3 Similarities and Differences among Undertakings

This Class EA covers a variety of activities that are generally related to *prospecting*, *mining claim staking* and *exploration* for mineral resources, as well as post-mining rehabilitation.

Categorization is based on a screening process that evaluates potential environmental effects. Only those projects that are administrative in nature or which do not change land use that is already permitted under existing *mining rights* are considered to have no environmental effects (see Section 3.2.1).

2.3.1 Similarities among Undertakings

The discretionary tenure decisions and discretionary rehabilitation activities made by MNDM in accordance with this Class EA:

- will help the Mines and Minerals Division achieve its mandate to be an acknowledged global leader in the sustainable development of earth and mineral resources and to contribute to a robust economy, strong communities, and a healthy *environment*.
- will take place on former or existing *mining lands*: and
- will be connected with past or present *exploration* and mining industry activities.

2.3.2 Differences among Undertakings

The discretionary tenure decisions and discretionary rehabilitation activities in this Class EA:

- have varying levels of effects on the *environment*,

- range from being administrative decisions with no impact on the *environment* to large-scale mine rehabilitation activities that ultimately result in positive environmental effects and/or improved human health and safety when the rehabilitation work is finished;
- include MNDM-administered mine rehabilitation activities that deal with a variety of methods and *mine hazards* that vary in description, size, scale, and environmental settings; and
- have site-specific characteristics and considerations that have different (or unique) assessment and consultation requirements.

MNDM will ensure that a proposed project's unique characteristics are appropriately assessed, planned for and consulted on.

2.4 Proponent

As the *proponent*, MNDM will proceed with discretionary tenure decisions and discretionary rehabilitation activities subject to this Class EA in accordance with the process and requirements this document sets out.

MNDM is responsible for:

- screening all proposed projects in accordance with Section 3.0 and tables 4 to 6 of this Class EA, as applicable, including applications to MNDM by third parties requesting a discretionary tenure decision or proposing a partnership for rehabilitating an *abandoned mine* site;
- assigning projects to the appropriate category; and
- fulfilling the terms and conditions of this Class EA.

MNDM may require third parties and partners to undertake certain procedural aspects of the Class EA process (see sections 5.0 and 6.0).

2.4.1 Third Parties

MNDM receives applications requiring discretionary tenure decisions related to the *disposition* of *Crown* resources. A "third party" is any person, other than an employee of MNDM, who applies to MNDM for a discretionary tenure decision.

Upon receipt of a written request from a third party for a discretionary tenure decision, MNDM will review the request to determine if more information is required and if the proposal is in compliance with policy and legislation. Terms, conditions and/or restrictions may be added to the *disposition* approval, if it is granted.

2.4.2 Partners

MNDM may work with one or more partners to jointly *rehabilitate a mine hazard*. A “partner” is any person, other than an employee of MNDM, who wants to help MNDM rehabilitate a mine site.

If MNDM is approached by a potential partner to jointly *rehabilitate a mine hazard*, a partnership agreement must be reached before final decisions are made on funding and site selection.

2.5 Range of Environmental Settings and Effects

When evaluating the potential environmental effects of MNDM’s discretionary tenure decisions and mine rehabilitation activities, MNDM will consider all aspects of the *environment*, described in Section 1. (1) of the *Environmental Assessment Act* as:

- air, land or water;
- plant and animal life, including human life;
- the social, economic and cultural conditions that influence the life of humans or a community;
- any building, structure, machine or other device or thing made by humans;
- any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities; or
- any part or combination of the foregoing and the interrelationships between any two or more of them.

The potential environmental effects of MNDM’s activities vary based on the location, history, and environmental setting of a particular site. The proposed project may occur within an undisturbed setting or it may occur within a previously disturbed site. There may also be unknown factors (e.g., undocumented underground mine infrastructure) that MNDM is unaware of.

The consideration of the potential environmental effects of an *undertaking* includes consideration of cultural conditions; *cultural heritage resources* are important components of those cultural conditions. MNDM’s Class EA process includes consideration of the potential effects an *undertaking* may have on all aspects of the *environment*, including known or potential *cultural heritage resources*.

Assessment of the impact of proposed projects on the *cultural heritage resources* helps to inform the decisions that may affect them. MNDM’s heritage

management process (Appendix 5) describes how MNDM identifies, evaluates, and addresses known and potential *cultural heritage resources*.

2.5.1 Consideration of Alternatives

As part of the Class EA planning process, MNDM will consider a reasonable range of *alternatives*, as much as possible. The consideration of *alternatives* include *alternatives to the proposed project* and *alternatives methods* (including the “do nothing” or “null” alternative) of carrying out the proposed project. Depending on the project, there may be a limited number of appropriate *alternatives* MNDM can consider. The consideration of *alternatives* is related to the complexity of the proposed project and will be analyzed on a case-by-case basis.

2.5.2 Consideration of Potential Environmental Effects

The potential environmental effects of MNDM’s discretionary tenure decisions and discretionary rehabilitation activities can only be assessed on a site-by-site basis. The size, scale, nature and setting of a project need to be individually considered.

The majority of discretionary tenure decisions should result in either nil or low potential environmental effects (e.g., correction on mining title of small slivers of land accidentally omitted at time of *mining claim staking*).

Evaluation and research is required when it is necessary to identify and understand potential negative effects on the *environment*. MNDM will engage the appropriate technical experts (e.g., persons with expertise in species at risk or conservation of *cultural heritage resources*), including those within commenting government agencies, to ensure the appropriate evaluation of project proposals and to identify potential negative environmental effects and appropriate *mitigation measures*. MNDM will also engage and consult with *interested persons*, including government ministries and agencies, Aboriginal communities (i.e., First Nation or Métis communities) and members of the public to identify all relevant information and concerns prior to decision-making.

Environmental criteria that are used to screen and evaluate the potential environmental effects of a proposed project will include economic uses and impacts, public or private uses, species at risk, sensitive habitats, human health and safety, *cultural heritage resources*, and existing and asserted Aboriginal and treaty rights (see Section 3.0 and Table 6).

2.5.2.1 Considerations for Discretionary Tenure Decisions

Mineral deposits occur in a particular location. As a result, the evaluation of a potential discretionary tenure decision about mineral tenure is limited to the *disposition* of the land in which the deposit is presumed to exist. Notwithstanding this restriction, a number of *alternatives* will be considered, including: limiting or

relocating components of the proposed project (e.g., access roads, *overburden* stockpiles); using *alternatives methods*; altering the timing of the proposed project; and restricting access or use to parts or even the entire site to avoid impacts to sensitive features. Terms and conditions, including *mitigation measures*, may be applied to MNDM's discretionary tenure decision.

2.5.2.2 Considerations for Discretionary Rehabilitation Activities

Due to the beneficial intent of discretionary rehabilitation activities (i.e., the rehabilitation of *mine hazards*), there should always ultimately be either a positive overall environmental effect and/or improved human health and safety when rehabilitation is finished.

As described in Section 2.2.3, MNDM has prioritized the rehabilitation of *abandoned mine* sites based on threats to human health and safety and environmental contamination risks.

Each *mine hazard* is unique and the method(s) used to *rehabilitate* a hazard must be tailored to its individual characteristics. The consideration of *alternatives* for mine rehabilitation activities includes: limiting or relocating components of the proposed project (e.g., access roads, new *tailings* impoundment structures); using *alternatives methods* such as *alternative* technologies and mitigation techniques; altering the timing of the proposed project; and avoiding alterations or impacts to sensitive features. When rehabilitating a *mine hazard*, MNDM will apply, where possible, a minimum intervention approach which avoids or minimizes environmental effects as much as possible.

3.0 SCREENING AND CATEGORIES

MNDM's Class EA screening and categorization process enables MNDM to consider the potential environmental effects – positive or negative, direct or indirect, short- or long-term – of its discretionary tenure decisions and discretionary rehabilitation activities, as well as the potential *mitigation measures* required to reduce or avoid negative effects.

Based on the screening process for potential environmental effects (Section 3.1) and the anticipated level of public interest, MNDM will assign a proposed project to one of five categories (Section 3.2). *Mitigation measures* can be used to reduce or avoid potential negative effects (e.g., by applying terms and conditions to an approval) or to bring the effect within legislated limits. The consideration of *mitigation measures* is included in MNDM's evaluation of potential environmental effects (see Section 4.5 for information on *mitigation measures*).

MNDM will document the screening process and decision-making rationale for every proposed project and include it in the project file and/or Environmental Study Report.

3.1 Screening

MNDM's Class EA screening process is used to assess the level of potential environmental effects of the discretionary tenure decisions and discretionary rehabilitation activities described in Section 2.2 and listed in Table 1. The screening process is illustrated in Figure 1 and described in Appendix 3.

Defining the boundary of the area of the proposed project is part of the screening process. For discretionary tenure decisions the entire area of the proposed land *disposition* is to be screened. For discretionary rehabilitation activities the immediate area of the *mine hazard(s)*, including all areas to be impacted by rehabilitation, plus an appropriate buffer around the rehabilitation activity, is to be screened. The buffer is determined by MNDM based on the nature of the hazard, the specific rehabilitation measures being considered, and the magnitude of any potential environmental effects.

3.1.1 Screening Criteria

Discretionary tenure decisions that are strictly “administrative” in nature and that do not change the land uses that are permitted under existing *mining rights* are listed in Table 4; these decisions are considered to have no environmental effects and are pre-assigned to Category A. MNDM's *emergency undertakings* (see Section 7.4) and maintenance activities on partially or completely rehabilitated sites are also pre-assigned to Category A.

The screening process for all other projects is made up of two sequential parts that are used to determine the level of effect on the *environment* (tables 5 and 6, and sections 3.1.1.2 and 3.1.1.3).

The screening process for discretionary tenure decisions is initiated at the Part 1 screening criteria (Table 5) and, if necessary, may proceed to the Part 2 screening criteria (Table 6). For permissions to test mineral content (*bulk samples*) and discretionary rehabilitation activities, the screening process is initiated at Part 2 (Table 6).

For a list of MNDM's discretionary activities subject to the *Environmental Assessment Act* see Table 1.

3.1.1.1 Pre-assigned Projects

Table 4 lists all discretionary tenure decisions for which there is no environmental effect and for which no further screening is required. These decisions are “administrative” projects of a routine nature that do not change the land use and, therefore, have no impact on the *environment*. These decisions include correcting errors on mining title documents, exchanging one large lease for multiple smaller leases, and other paper- or electronic-based decisions.

The discretionary tenure decisions listed in Table 4 are Category A activities. MNDM may proceed immediately with notification and implementation of Category A projects (see Section 3.2.1).

MNDM applies the Part 1 screening criteria (Table 5) to discretionary tenure decisions that are not listed in Table 4.

Table 4. Pre-screened Discretionary Tenure Decisions

Mining Act Section	Description	Administrative Undertaking
41. (3)	Termination of <i>licence of occupation</i> for rent arrears	Where payment of rental is in arrears of 2 years or more, the licence may be terminated.
41. (6)	Exchange of a <i>mining licence of occupation</i> for a <i>mining lease</i>	A <i>mining licence of occupation</i> is exchanged for a <i>mining lease</i> with no change in <i>mining rights</i> .
80. (1)	Reduction in area of claim where less than the prescribed area is necessary	<i>Surface rights</i> within a <i>mining claim</i> are removed from the claim.

Mining Act Section	Description	Administrative Undertaking
80. (2)	Exclusion of part of <i>surface rights</i> from <i>mining claim</i>	Previously-held <i>surface rights</i> are removed from a <i>mining claim</i> .
81. (10)	Termination of 21-year <i>mining lease</i> for rent arrears	Where payment of rental is in arrears of 2 years or more, the lease may be terminated.
82. (5)	Termination of 10-year lease for rent arrears	Where payment of rental is in arrears of 2 years or more, the licence may be terminated.
83. (1)	Exchange of lease for one or more replacement leases	A single <i>mining lease</i> is exchanged for one or more <i>mining leases</i> within the same area, with no new <i>mining rights</i> being issued.
93.	Correction of error on title document	An error on the mining title document is corrected, with no change in <i>mining rights</i> .
94.	Annulment of survey or subdivision and issuance of revised description	The legal description on the mining title document is amended to remove the reference to the annulled survey, with no change in <i>mining rights</i> .
97. (2)	Correction on mining title of lands accidentally omitted at time of staking	The mining title document is corrected to accurately reflect the lands that are part of the <i>mining claim</i> , with no change in claim size or <i>mining rights</i> .
145. (2); 153.2 (4)	Realization of <i>financial assurance/security</i> to carry out rehabilitation measures	The <i>financial assurance</i> or security that was provided as part of a <i>closure plan</i> is used by MNDM to carry out rehabilitation measures.
184. (4)	Transfer of forfeited "interest" to co-owner of <i>mining rights</i>	Even though the <i>mining lands</i> or rights have been forfeited to the <i>Crown</i> , the existing co-owner can continue to exercise <i>mining rights</i> while applying

Mining Act Section	Description	Administrative Undertaking
		to MNDM for the forfeited “interest.”
197. (3)	Forfeiture of <i>mining patent</i> for tax arrears	Where payment of taxes is in arrears of 2 years or more, the licence may be terminated.

3.1.1.2 Part 1 Screening Criteria

MNDM uses the Part 1 screening criteria (Table 5) to determine if a discretionary tenure decision has any potential environmental effects. These screening criteria are applied to all discretionary tenure decisions listed in Table 1, but not listed in Table 4. The screening may indicate that there will be no environmental effects because these decisions are “administrative” projects of a routine nature that do not change the land uses that are already permitted under existing *mining rights*.

Discretionary tenure decision that require no further screening after MNDM has completed the Part 1 screening are Category A activities. MNDM may proceed immediately with notification and implementation of Category A projects (see Section 3.2.1).

MNDM applies the Part 2 screening criteria (Table 6) to discretionary tenure decisions that are determined have environmental effects.

Table 5. Part 1 Screening Criteria

Part 1 Screening Criteria			
Question	Yes	No	Comments
1			If yes, no further screening is required – Category A (see Section 3.2.1); if no, proceed to question 2.
2.			If yes, no further screening is required – Category A (see Section 7.4); if no,

Part 1 Screening Criteria			
Question	Yes	No	Comments
			proceed to question 3.
3	Is the decision related to the maintenance of a partially or completely rehabilitated site?		If yes, no further screening is required – Category A (see Section 3.2.1): if no, proceed to question 4.
4	Is the decision related to an issuance or renewal of a <i>surface rights only lease</i> (Section 84 of the <i>Mining Act</i>)?		If yes, proceed to question 5; if no, proceed to Part 2 screening criteria (Section 3.1.1.3).
5	Is the <i>surface rights only lease</i> located within the applicant's existing <i>mining rights lease</i> ?		If yes, no further screening is required – Category A (Section 3.2.1); if no, proceed to Part 2 screening criteria (Section 3.1.1.3).

3.1.1.3 Part 2 Screening Criteria

The Part 2 screening criteria (Table 6) are used by MNDM to assess the potential environmental effects of a discretionary tenure decision or discretionary rehabilitation activity and identify any *mitigation measures* that may be necessary. MNDM applies the Part 2 screening criteria when the Part 1 screening indicates that there may be potential environmental effects. For any criterion where there is a potential negative effect, the cause, degree of effect, and *mitigation measures* that can be used to eliminate or reduce the effect are considered and documented.

The screening process for permissions to test mineral content (*bulk samples*) and discretionary rehabilitation activities is initiated at the Part 2 screening criteria (Table 6).

Table 6. Part 2 Screening Criteria

Part 2 Screening Criteria	Potential Environmental Effects ⁶									Description of Positive, Negative or Unknown Effect	Description of Mitigation Measures / Studies Required to Address Negative or Unknown Effects
	1. Is there an effect?			2. Is the known effect positive or negative?			3. Can the effect be mitigated using standard measures?				
	Yes	No	Unk.	Pos.	Neg.	Unk.	Yes	No			
Physical Environment											
Protected areas / Areas of Natural and Scientific Interest (ANSIs) (overlapping or adjacent)											
Proximate First Nation Reserves / Aboriginal communities											
Noise impacts											
Vibration impacts											
Views or aesthetics											
Other (specify)											

⁶ Note on screening terminology: “Unk.” means “unknown;” “Pos.” means “positive;” and “Neg.” means “negative.”

Part 2 Screening Criteria	Potential Environmental Effects ⁶								Description of Positive, Negative or Unknown Effect	Description of Mitigation Measures / Studies Required to Address Negative or Unknown Effects
	1. Is there an effect?			2. Is the known effect positive or negative?			3. Can the effect be mitigated using standard measures?			
	Yes	No	Unk.	Pos.	Neg.	Unk.	Yes	No		
Biological Environment										
Aquatic species or habitat										
Terrestrial species or habitat										
Endangered species / species at risk or habitat										
Migratory bird species										
Ground water quality or quantity										
Surface water quality / quantity										
Soils - contaminants, sedimentation, erosion										
Wells or drinking water sources										
Air quality										
Other (specify)										

Part 2 Screening Criteria	Potential Environmental Effects ⁶								Description of Positive, Negative or Unknown Effect	Description of Mitigation Measures / Studies Required to Address Negative or Unknown Effects
	1. Is there an effect?			2. Is the known effect positive or negative?			3. Can the effect be mitigated using standard measures?			
	Yes	No	Unk.	Pos.	Neg.	Unk.	Yes	No		
Built / Structural Environment										
Infrastructure (roads, power lines, pipelines, etc.)										
Navigation routes										
Seasonal or permanent residences										
Natural or human-made hazards										
Other projects or activities (adjacent)										
Other (specify)										

Part 2 Screening Criteria	Potential Environmental Effects ⁶								Description of Positive, Negative or Unknown Effect	Description of Mitigation Measures / Studies Required to Address Negative or Unknown Effects	
	1. Is there an effect?			2. Is the known effect positive or negative?			3. Can the effect be mitigated using standard measures?				
	Yes	No	Unk.	Pos.	Neg.	Unk.	Yes	No			
Social / Economic / Cultural Environment ⁷											
Archaeological resources											
Built heritage resources / cultural heritage landscapes											
Site(s) of Aboriginal cultural significance											
Aboriginal interest in project area											

⁷ MNDM's Heritage Management Process (Draft) in Appendix 5 describes how MNDM identifies, evaluates, and addresses known and potential *cultural heritage resources*. MNDM identifies known and/or potential *cultural heritage resources* by completing the screening checklists in Schedule A ("Screening for Built Heritage Resources and Cultural Heritage Landscapes"), Schedule B ("Screening for Archaeological Resources for Discretionary Rehabilitation Activities) and Schedule C ("Screening for Archaeological Resources for Discretionary Tenure Decisions") of the appendix. The results of the screening checklists will inform the completion of the Part 2 screening criteria and will be documented on the project file by MNDM. Activities that may have an effect on known or potential cultural heritage resources require *technical cultural heritage studies* by *qualified persons*.

Part 2 Screening Criteria	Potential Environmental Effects ⁶									Description of Positive, Negative or Unknown Effect	Description of Mitigation Measures / Studies Required to Address Negative or Unknown Effects
	1. Is there an effect?			2. Is the known effect positive or negative?			3. Can the effect be mitigated using standard measures?				
	Yes	No	Unk.	Pos.	Neg.	Unk.	Yes	No			
Land claims or claims in litigation against Ontario											
Recreational uses											
Agricultural or forestry uses											
Tourism uses											
Industrial uses											
Local / regional economies or businesses											
Public health and safety											
Other (specify)											

The results of the Part 2 screening and consideration of the anticipated level of public interest (Section 3.1.2) will enable MNDM to assign the proposed project to the appropriate category. All projects that undergo this screening are, at a minimum, assigned to Category B (see Section 3.2.2).

A form for documenting the Part 2 screening process is provided in Appendix 4.

If the Part 2 screening indicates that:

- all identified potential negative effects can be mitigated and there are no unknown environmental effects, the proposed project is assigned to Category B (see Section 3.2.2);

- there is at least one potential negative effect that cannot be readily mitigated, or if there is at least one unknown environmental effect that may require MNDM (or a third party) to gather additional information and/or undertake further research, the proposed project is assigned to Category C (see Section 3.2.3);
- there are multiple negative effects that cannot be readily mitigated, or if there are multiple unknown environmental effects, the proposed project is assigned to Category D (see Section 3.2.4); or
- there are one or more significant potential negative or unknown environmental effects that are not predictable or manageable, the proposed project will require an *individual environmental assessment* (see Section 3.2.5).

3.1.2 Anticipated Level of Public Interest

The results of the Part 2 screening, and consideration of the anticipated level of public interest, will enable MNDM to assign the proposed project to the appropriate category.

A component of the Part 2 screening process is the consideration of the anticipated level of public interest in, or response to, the proposed project. When assigning a project to a category consideration will be given to the following:

- Category B: little or no anticipated public interest or response for this project (see Section 3.2.2);
- Category C: moderate level of anticipated localized public interest or response for this project (see Section 3.2.3);
- Category D: high level of anticipated public interest or response for this project (see Section 3.2.4); and
- *Individual Environmental Assessment*: high level of anticipated widespread public interest or response for this project (see Section 3.2.5).

MNDM will provide notification to other government ministries and agencies, members of the public, Aboriginal communities and organizations, and other interested groups or individuals to advise them of MNDM's discretionary tenure decisions and discretionary rehabilitation activities. Based on the category that a discretionary tenure decision or discretionary rehabilitation activity has been assigned to, a greater level of notification and/or consultation may be required (see sections 3.2.2, 3.2.5 and 3.2.6).

Should the level of public interest or response be different than what was anticipated, MNDM may reassign the proposed project to a higher category.

3.2 Categories

Discretionary tenure decisions and discretionary rehabilitation activities are assigned to categories based on the screening process described in Section 3.1.

The categories described in MNDM's Class EA require different levels of evaluation, planning and decision-making. The purpose of the categories is to provide a streamlined planning and project review process for projects that is appropriate for their potential environmental effects. The projects are assigned to the categories as follows:

- no potential environmental effects and *emergency* activities (Category A);
- low potential environmental effects (Category B);
- moderate potential environmental effects (Category C);
- significant potential environmental effects (Category D); or
- requires an *individual environmental assessment*.

Projects in categories that have no or low potential for environmental effects require less consultation and evaluation than categories with a higher potential for environmental effects.

Mandatory consultation requirements, including Aboriginal consultation, are described in sections 5.0 and 6.0. The contact points (i.e., notification) described in the sections below are a minimum level of effort that MNDM will undertake or direct a third-party applicant or partner to undertake. Additional notification and consultation, including extending the consultation or review time period, with *interested persons* or groups and/or Aboriginal communities, including extending the consultation or review time period, may be required, especially for controversial, long-term (i.e., multi-year) or complex projects.

3.2.1 Category A: No Potential Environmental Effects

Projects in this category are either *emergency undertakings* on Crown land or they have no net effect upon the *environment*.

MNDM will follow Section 7.4 for *emergency undertakings* and sections 3.2.1.1 and 3.2.1.2 for all other Category A projects.

Projects with no potential environmental effects may either be administrative in nature or do not change the land uses that are already permitted under the existing *mining rights* (e.g., correction of an error on a title document). This category will encompass maintenance activities on partially or completely rehabilitated sites and discretionary tenure decisions for which no further assessment is required prior to implementation.

3.2.1.1 Notification

Consultation for Category A projects is not required; however, notice of the project is provided to the government ministries and agencies as appropriate.

3.2.1.2 Project Review

MNDM will review the input received and, if necessary, address concerns by imposing appropriate conditions on the discretionary approval. If necessary, MNDM will also consider reassigning the proposed project to Category B. Implementation of these projects will proceed without further assessment requirements.

3.2.2 Category B: Low Potential Environmental Effects

Projects in this category have low potential environmental effects. The purpose of Category B projects is to ensure some type of public notification for these types of projects.

Environmental effects for Category B projects are minor and short-term in nature, well-understood and predictable. Where necessary, these effects are easily managed or mitigated (e.g., capping an abandoned mine shaft that has existing road access).

3.2.2.1 Notification

Category B notification processes are described in Section 4.1. The mandatory contact point for Category B projects is:

1. Notice of Opportunity to Provide Input (minimum 30-day consultation period).

3.2.2.2 Project Review

MNDM will implement these discretionary tenure decisions and discretionary rehabilitation activities by following established prescriptions and regulations to apply appropriate terms and conditions on MNDM's approval.

MNDM will review the input received and, if necessary, address concerns by imposing additional conditions on the discretionary approval.

If the *mitigation measures* cannot address the concerns, MNDM will consider providing additional consultation opportunities and undertaking appropriate studies. If necessary, MNDM will also consider reassigning the proposed project to Category C.

3.2.3 Category C: Moderate Potential Environmental Effects

Projects in this category have moderate potential environmental effects (e.g., rehabilitation of an acid-generating or metal-leaching waste rock pile).

Specific planning, design and *mitigation measures* tailored to the requirements of the project may be developed where established regulations or prescriptions are not sufficient to mitigate potential negative environmental effects.

The process by which an interested person(s) can make a request to the Minister of the Environment (or delegate) that a Category C project be made subject to an *individual environmental assessment* is described in Section 7.5.

3.2.3.1 Notification

A more comprehensive consultation process is required for projects assigned to Category C than for projects assigned to lower categories. As such, MNDM will consider consultation methods such as newspaper advertisements and open houses. Other consultation methods may be considered where appropriate (see Section 5.0 and 6.0).

Category C notification processes are described in Section 4.2. The mandatory contact points for Category C projects are:

1. Notice of Opportunity to Provide Input (minimum 30-day consultation period); and
2. Notice of Completion (minimum 30-day review period).

3.2.3.2 Project Review

Since these projects have moderate potential environmental effects, more information and analyses may be needed to identify these effects and potential *mitigation measures*.

MNDM will review the input received and, if necessary, address concerns by imposing additional conditions on the discretionary approval.

If the *mitigation measures* cannot address the concerns, MNDM will consider providing additional consultation opportunities and undertaking appropriate studies. If necessary, MNDM will also consider reassigning the proposed project to Category D.

The input may also indicate that no further assessment is required and MNDM may consider reassigning the proposed project to Category B.

3.2.4 Category D: Significant Potential Environmental Effects

Projects that have known or unknown and potentially substantial environmental effects (e.g., the rehabilitation of a large area of *tailings*) are classified as Category D. This category will involve extensive and detailed planning processes, including the preparation of a consultation plan and an analysis of *alternatives methods*. Projects assigned to this category will consist of MNDM's large-scale discretionary rehabilitation activities.

The process by which an interested person(s) can make a request to the Minister of the Environment (or delegate) that a Category D project be made subject to an *individual environmental assessment* is described in Section 7.5.

3.2.4.1 Notification

Public concern or interest in these projects may be high; as such, comprehensive consultation with other government ministries and agencies, members of the public, Aboriginal communities and organizations, and other *interested persons* will be required. MNDM will prepare a consultation plan that includes consultation methods such as newspaper advertisements, meetings, and open houses. The consultation plan will be posted on MNDM's Class EA web page. Other consultation methods may be considered where appropriate (see Section 5.0 and 6.0).

Category D notification processes are described in Section 4.3. The mandatory contact points for Category D projects are:

1. Notice of Commencement;
2. Notice of Opportunity to Provide Input on the Draft Environmental Study Report (minimum 30-day consultation period); and
3. Notice of Completion of the Final Environmental Study Report (minimum 30-day review period).

3.2.4.2 Project Review

Since these projects have significant potential environmental effects, a more comprehensive study and analysis process and the preparation of an Environmental Study Report is required to address environmental effects and the concerns of government agencies, members of the public, Aboriginal communities and organizations, and other *interested persons*.

MNDM will review the input received and, if necessary, may address concerns by developing additional *mitigation measures* for the discretionary rehabilitation activity.

If the *mitigation measures* cannot address the concerns, MNDM will consider providing additional consultation opportunities and undertaking appropriate studies. If necessary, MNDM will also consider initiating an *individual environmental assessment* for the proposed project.

3.2.5 Individual Environmental Assessment

If MNDM determines that a discretionary tenure decision or discretionary rehabilitation activity is outside of the scope of its Class EA, or has significant potential environmental effects that are not predictable or manageable, it will be made subject to *Environmental Assessment Act* requirements for an *individual environmental assessment*. MNDM may decide to undertake an *individual environmental assessment* based on the results of the screening process or as a result of concerns expressed by government ministries and agencies, members of the public, Aboriginal communities and organizations, and/or other interested groups or individuals.

MNDM will notify the Minister of the Environment in writing of MNDM's intent to do an *individual environmental assessment*.

4.0 PROJECT REVIEW AND PLANNING PROCESS

This section describes the project review and planning process for discretionary tenure decisions and discretionary rehabilitation activities assigned to categories B, C and D (see Figure 2). The process for an *individual environmental assessment* is set out in Part II of the *Environmental Assessment Act*.

The project review process for each category is structured into two sections: technical requirements and consultation requirements. MNDM will apply the requirements of this section to the discretionary tenure decision or discretionary rehabilitation activity, or will instruct a third party, if applicable, to meet the requirements and provide the necessary documentation to MNDM for review and approval. See sections 5.0 and 6.0 for information on MNDM's consultation requirements.

MNDM will document the project review process for every proposed project and include it in the project file that was created at the start of the screening process.

Templates for the notices referred to in this section are provided in Appendix 6.

4.1 Category B Project Review and Planning Process

Category B discretionary tenure decisions and discretionary mine rehabilitation activities are described in Section 3.2.2.

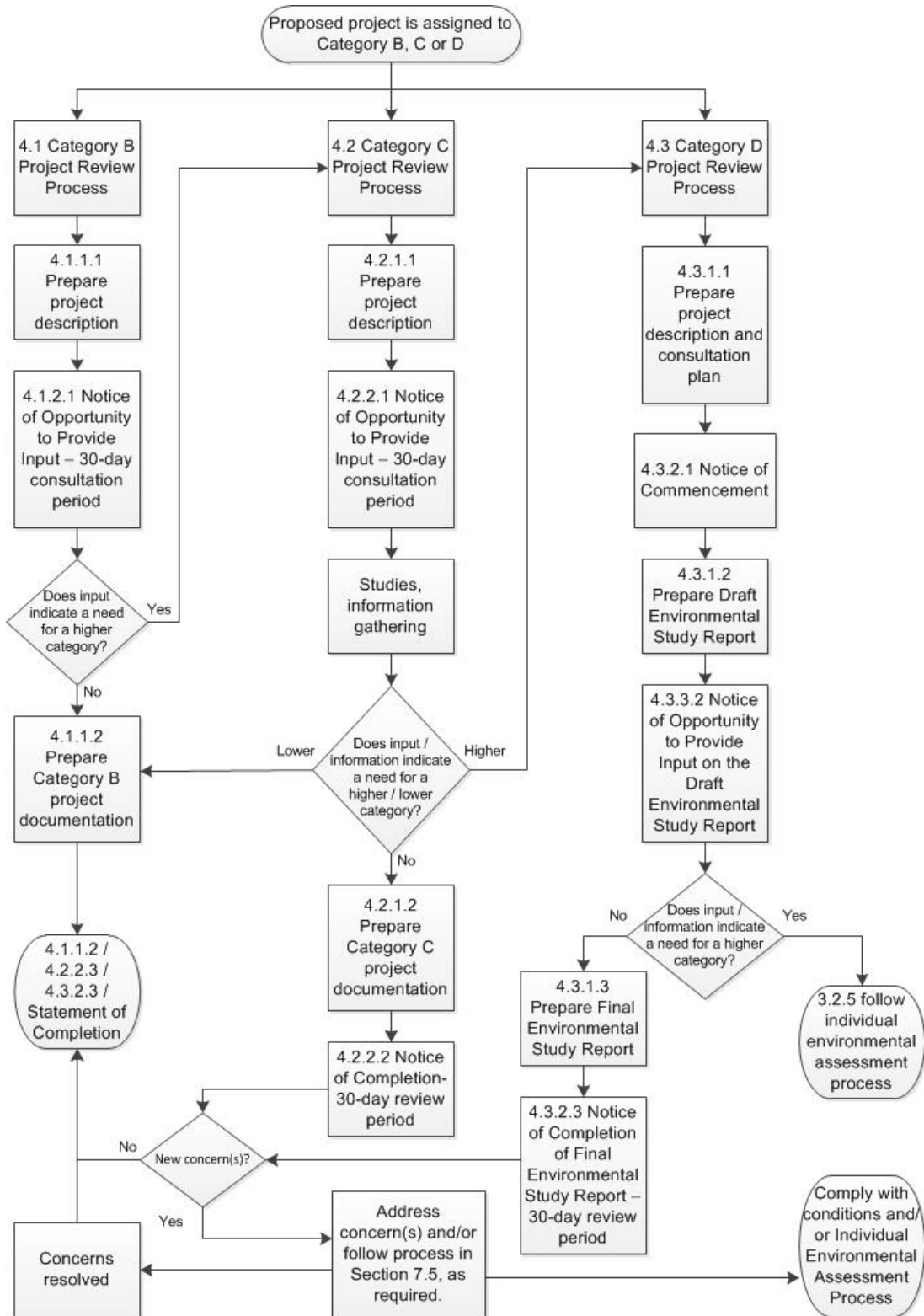
4.1.1 Technical Requirements

4.1.1.1 Project Description

A project description will be prepared for the discretionary tenure decision or discretionary rehabilitation activity. The project description will include:

- the title of the project;
- a summary of the discretionary tenure decision or discretionary rehabilitation activity, including a detailed description of all known information (e.g., relevant mining history and existing studies and documentation) about the discretionary tenure decision or discretionary rehabilitation activity;

Figure 2. Project Review Process



- a map indicating the location and boundary (see Section 3.1) of the discretionary tenure decision or discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of the screening results, including any information that led to the determination of potential environmental effects;
- a description of any *mitigation measures* being considered;
- all other documentation related to how the category was assigned; and
- next steps in the documentation and consultation processes, including an estimated time line for completion of the proposed project.

4.1.1.2 Project Documentation

The following information will be documented for MNDM's project file:

- the project description, including changes to the original proposal, if any;
- the purpose or rationale for the proposed project
- a description of the consultation that was undertaken, including Aboriginal consultation;
- a summary of the input that was received and how it was considered and addressed;
- a description of the potential environmental effects, both positive and negative;
- a description of the advantages and disadvantages of the project;
- an analysis of *mitigation measures* being evaluated, if applicable;
- an analysis of *alternatives methods* being evaluated, if applicable;
- an analysis of any studies that were undertaken, if applicable;
- an analysis of any future effects monitoring or studies that may be required; and
- a description of how Category B requirements were met.

4.1.2 Consultation Requirements

4.1.2.1 Notice of Opportunity to Provide Input

Notice of the proposed project will be provided to the appropriate government agencies (including the Ministry of the Environment (MOE) Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch), members of the public, Aboriginal communities and other *interested persons*, with a minimum 30-day (i.e., calendar days) consultation period to provide input and express concerns. The notice will include:

- the title of the project;
- a summary of the project description, including potential environmental effects and *mitigation measures*;
- a map indicating the location and boundary (see Section 3.1) of the discretionary tenure decision or discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- an invitation to comment on the proposed project, including the end date of the comment period;
- a description of the next steps in the process;
- contact information for the person who will provide additional information, answer questions and receive comments; and
- a statement regarding the collection, use and disclosure of information collected during the comment period as governed by the *Freedom of Information and Protection of Privacy Act*.

At a minimum, notification will consist of a letter to government ministries and agencies, Aboriginal communities and persons that MNDM considers may be impacted by and/or interested in the proposed project. The notice will also be posted as an Information Notice on the Environmental Registry and on MNDM's Class EA web page. Additional notification and consultation methods, including newspaper advertisements, meetings and open houses, will be provided if necessary.

4.1.2.2 Statement of Completion

A Statement of Completion will be prepared, added to the project file, and posted on MNDM's Class EA web page after the 30-day review period if no new comments or information require the proposed project to be reassigned to a higher category. The Statement of Completion will include:

- a brief summary of the project description, including a map of the location and boundary (see Section 3.1) of the project, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of how Category B requirements were met; and
- a hard copy or electronic approval of the Statement of Completion by the responsible manager, including the date.

4.2 Category C Project Review Process

Category C discretionary tenure decisions and discretionary rehabilitation activities are described in Section 3.2.3.

4.2.1 Technical Requirements

4.2.1.1 Project Description

A project description will be prepared for the discretionary tenure decision or discretionary rehabilitation activity. The project description will include:

- the title of the project;
- a summary of the discretionary tenure decision or discretionary rehabilitation activity, including a detailed description of all known information (e.g., relevant mining history and existing studies and documentation) about the discretionary tenure decision or discretionary rehabilitation activity;
- a map indicating the location and boundary (see Section 3.1) of the discretionary tenure decision or discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of the screening results, including any information that led to the determination of potential environmental effects;
- a description of any potential negative or unknown environmental effect(s) that require MNDM to gather additional information and/or undertake further research (e.g., archaeological assessments, engineering reports);
- all other documentation related to how the category was assigned; and
- next steps in the documentation and consultation processes, including any research that is required and an estimated time line for completion of the proposed project.

4.2.1.2 Project Documentation

The following information will be documented for the project file:

- a project description, including changes to the original proposal, if any;
- the purpose or rationale for undertaking the project;
- a description of the consultation that was undertaken, including Aboriginal consultation;
- a summary of the input that was received and how it was considered and addressed;
- a description of the potential environmental effects, both positive and negative;
- a description of the advantages and disadvantages of the project;
- an analysis of *mitigation measures* being evaluated, if applicable;
- an analysis of *alternatives methods* being evaluated, if applicable;
- an analysis of any studies that were undertaken, if applicable;
- an analysis of any future effects monitoring or studies that may be required;
- a summary of planned construction, post-monitoring construction plans, and/or an estimation of the start and completion dates of the project, if applicable,
- any technical reports prepared for the project (as appendices);
- a list of approvals and permits required for the project; and
- a description of how Category C requirements were met.

4.2.2 Consultation Requirements

4.2.2.1 Notice of Opportunity to Provide Input

Notice of the proposed project will be provided to the appropriate government ministries and agencies (including the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch), members of the public, Aboriginal communities and other *interested persons*, with a minimum 30-day (i.e., calendar days) consultation period to provide input and express concerns. The notice will include:

- the title of the project;
- a summary of the project description, including potential environmental effects and *mitigation measures*;
- a map indicating the location and boundary (see Section 3.1) of the discretionary tenure decision or discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- an invitation to comment on the proposed project, including the end date of the comment period;
- a description of the next steps in the process;
- contact information for the person who will provide additional information, answer questions and receive comments; and
- a statement regarding the collection, use and disclosure of information collected during the comment period as governed by the *Freedom of Information and Protection of Privacy Act*.

At a minimum, notification will consist of a letter to government ministries and agencies, Aboriginal communities and persons that MNDM considers may be impacted by and/or interested in the proposed project. The notice will also be posted as an Information Notice on the Environmental Registry and on MNDM's Class EA web page. Additional notification and consultation methods, including newspaper advertisements, meetings and open houses, will be provided if necessary.

4.2.2.2 Notice of Completion

All government ministries and agencies and persons that submitted comments, the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch, and all Aboriginal communities that were contacted, will be notified by MNDM of the result the Class EA planning process (i.e., MNDM's decision), with a minimum 30-day review period for new concerns to be raised (including Part II Order requests to the Minister of the Environment). The notice will include:

- a summary of the project description, including any revised details regarding *mitigation measures*;
- a map indicating the location and boundary (see Section 3.1) of the discretionary tenure decision or discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby

- communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of how Category C requirements were met and whether the project will proceed or not proceed;
 - a description of the purpose of the 30-day review period (i.e., to receive additional comments, information and Part II Order requests);
 - contact information for the person who will provide additional information, answer questions and receive comments; and
 - directions about how to access a hard or electronic copy of the project file.

At a minimum, notification will consist of a letter to government ministries and agencies, Aboriginal communities and persons that MNDM considers may be impacted by and/or interested in the proposed project. The notice will also be posted as an Information Notice on the Environmental Registry and on MNDM's Class EA web page. Additional notification, including newspaper advertisements, will be provided if necessary.

4.2.2.3 Statement of Completion

A Statement of Completion is prepared, added to the project file and posted on MNDM's Class EA web page after the 30-day review period if no Part II Order requests are received, no new comments or information require the proposed project to be reassigned to a higher category, and no *individual environmental assessment* requirements are granted by the Minister of the Environment. The Statement of Completion will include:

- a brief summary of the project description, including a map of the location and boundary (see Section 3.1) of the project, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of how Category C requirements were met;
- confirmation that no Part II Order requests were received or that any Part II Order requests that were received were withdrawn or were denied by the Minister of the Environment; and
- a hard copy or electronic approval of the Statement of Completion by the responsible manager.

4.3 Category D Project Review Process

Category D discretionary mine rehabilitation activities are described in Section 3.2.4.

4.3.1 Technical Requirements

4.3.1.1 Project Description and Consultation Plan

A project description and a consultation plan will be prepared for the discretionary rehabilitation activity. The project description will include:

- the title of the project;
- a summary of the discretionary rehabilitation activity, including a detailed description of all known information (e.g., relevant mining history and existing studies and documentation) about the proposed project;
- a map indicating the location and boundary (see Section 3.1) of the discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of the screening results, including any information that led to the determination of potential environmental effects;
- a description of any potential negative environmental effect(s) or unknown environmental effect(s) that require MNDM to gather additional information and/or conduct further research (e.g., archaeological assessments, engineering reports);
- all other documentation related to how the category was assigned; and
- next steps in the documentation and consultation processes, including the preparation of the Environmental Study Report and an estimated time line for completion of the proposed project.

The consultation plan will describe:

- the general consultation methods proposed at each step of the Class EA planning process;
- how input from government ministries and agencies, members of the public, Aboriginal communities, and other interested groups or individuals will be obtained;
- how comments and concerns will be considered and how they inform decision(s);
- milestones and sequence of events in the Class EA planning process, including when consultation will occur and when decisions will be made;
- how consultation will meet the requirements of the Class EA planning process; and

- other details as necessary.

The consultation plan will be posted on MNDM's Class EA web page.

4.3.1.2 Draft Environmental Study Report

A Draft Environmental Study Report will be prepared for the discretionary rehabilitation activity. The Draft Environmental Study Report will include:

- a project description, including a map of the location and boundary (see Section 3.1) of the proposed project, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- the purpose or rationale for the proposed project;
- a description of *alternatives methods* of carrying out the proposed project, if applicable;
- a description of the *alternatives to* the proposed project, if applicable;
- a description of the environmental setting that will be potentially affected by the proposed project;
- a description of the potential environmental effects of the proposed project;
- a description of *mitigation measures* that are being considered;
- an evaluation of the *alternatives to* proceeding with the proposed project; and
- an evaluation of the *alternatives methods* for carrying out the proposed project.

4.3.1.3 Final Environmental Study Report

MNDM will consider input from government ministries and agencies, members of the public, Aboriginal communities, and other *interested persons* in deciding whether and how to proceed with the project.

The preferred *alternatives* will be selected and described in the Final Environmental Study Report. This report will follow the same format as described for the Draft Environmental Study Report and will also include the following:

- the project description, including any changes to the original proposal, the selected alternative(s) and, if required, a description of the final design;

- engineering diagrams and other information that describes the project, if required;
- a description of anticipated project phases, if required;
- a description of the consultation that was undertaken, including Aboriginal consultation;
- a description of the input received and how it was addressed;
- a description of the potential environmental effects, both positive and negative;
- a description of the advantages and disadvantages of the project;
- a description of the *mitigation measures* to be applied;
- a description future effects monitoring that is required;
- a summary of planned construction or post-monitoring construction plans, and an estimation of the start and completion dates of the project;
- any technical reports prepared for the project (as appendices);
- a list of approvals and permits required for the project; and
- a description of how Category D requirements were met.

4.3.2 Consultation Requirements

4.3.2.1 Notice of Commencement

Notice of the proposed discretionary rehabilitation activity will be provided to the appropriate government ministries and agencies (including the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch), members of the public, Aboriginal communities and other *interested persons*. The notice will include:

- the title of the project;
- a summary of the project description, including potential environmental effects, *mitigation measures* and *alternatives*;
- a map indicating the location and boundary (see Section 3.1) of the discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;

- an invitation to express interest the proposed project, including the end date of the comment period;
- a description of the next steps in the process, including open houses and other consultation opportunities;
- contact information for the person who will provide additional information, answer questions and receive comments; and
- a statement regarding the collection, use and disclosure of information collected during the comment period as governed by the *Freedom of Information and Protection of Privacy Act*.

At a minimum, notification will consist of a letter government ministries and agencies, Aboriginal communities and persons that MNDM considers may be impacted by and/or interested in the proposed project. The notice will also be posted as an Information Notice on the Environmental Registry and on MNDM's Class EA web page. Additional notification and consultation methods, including newspaper advertisements, meetings, open houses, steering committees and working groups, will be considered.

4.3.2.2 Notice of Opportunity to Provide Input on the Draft Environmental Study Report

Notice of the proposed discretionary rehabilitation activity will be provided to the appropriate government ministries and agencies (including the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch), members of the public, Aboriginal communities and other *interested persons*, with a minimum 30-day (i.e., calendar days) consultation period to provide input and express concerns. The notice will include:

- the title of the project;
- a summary of the project description, including potential environmental effects, *mitigation measures* and *alternatives*;
- a map indicating the location and boundary (see Section 3.1) of the discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- an invitation to comment on the proposed project, including the end date of the comment period;
- a description of the next steps in the process;
- contact information for the person who will provide additional information, answer questions and receive comments; and

- a statement regarding the collection, use and disclosure of information collected during the comment period as governed by the *Freedom of Information and Protection of Privacy Act*.

At a minimum, notification will consist of a letter the aforementioned government ministries and agencies, Aboriginal communities and persons that MNDM thinks may be impacted by, and/or interested in, the proposed project. The notice will also be posted as an Information Notice on the Environmental Registry and on MNDM's Class EA web page. Additional notification and consultation methods, including newspaper advertisements, meetings, open houses, steering committees and working groups will be considered.

4.3.2.3 Notice of Completion of Final Environmental Study Report

All government ministries and agencies and persons that submitted comments, the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch, and all Aboriginal communities that were contacted, will be notified by MNDM of the result the Class EA planning process (i.e., MNDM's decision), with a minimum 30-day review period for new concerns to be raised (including Part II Order requests to the Minister of the Environment). The notice will include:

- confirmation that the Final Environmental Study Report has been completed;
- a summary of the project description, including potential environmental effects, *mitigation measures* and *alternatives*;
- a map indicating the location and boundary (see Section 3.1) of the discretionary rehabilitation activity, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of how Category D requirements have been met;
- a description of the purpose of the 30-day review period (i.e., to receive additional comments, information and Part II Order requests);
- contact information for the person who will provide additional information, answer questions and receive comments; and
- directions about how to access a hard or electronic copy of the project file.

At a minimum, notification will consist of a letter to government ministries and agencies, Aboriginal communities and persons that MNDM considers may be impacted by and/or interested in the proposed project. The notice will also be posted as an Information Notice on the Environmental Registry and on MNDM's

Class EA web page. Additional notification, including newspaper advertisements, will be provided if necessary.

4.3.2.4 Statement of Completion

A Statement of Completion is prepared, added to the project file and posted on MNDM's Class EA web page if, during the 30-day review period, no Part II Order requests are received, no new comments or information require the project to be reassigned to a higher category, and no *individual environmental assessment* requirements are granted by the Minister of the Environment. The Statement of Completion will include:

- a brief summary of the project description, including a map of the location and boundary (see Section 3.1) of the project, as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- a description of how Category D requirements were met;
- confirmation that no Part II Order requests were received, or that any Part II Order requests that were received were withdrawn or were denied by the Minister of the Environment; and
- a hard or electronic approval of the Statement of Completion by the responsible manager.

4.4 Phases

The Class EA project review and planning process described in the previous sections can be broken down into four general phases. The components of each phase described below are flexible and can be adjusted to suit the project category and the needs of the project. The phases for each category are described in Table 7.

Table 7: Phases of the Class EA Planning Process

Phase	Category B	Category C	Category D
Phase 1 – project identification, evaluation and preliminary planning	Screen and categorize proposed project		
	Prepare project description	Prepare project description	Prepare project description and consultation plan
			Release Notice of Commencement and post consultation plan on MNDM's Class EA web page
Phase 2 – project evaluation	Gather information and evaluate alternatives, methodology, and mitigation measures	Gather information and evaluate alternatives, methodology, and mitigation measures	Prepare Draft Environmental Study Report
	Release Notice of Opportunity to Provide Input (30-day comment period)	Release Notice of Opportunity to Provide Input (30-day comment period)	Release Notice of Opportunity to Provide Input on Draft Environmental Study Report (30-day comment period)
Phase 3 – project documentation	Prepare documentation for project file	Prepare documentation for project file	Prepare Final Environmental Study Report
		Notice of Completion (30-day review period)	Notice of Completion (30-day review period)

Phase	Category B	Category C	Category D
Phase 5 – project implementation	Prepare Statement of Completion and implement project		

Phase 1 – Project identification, categorization and preliminary planning

- Determine if the Class EA and/or *Environmental Assessment Act* applies to the proposed project.
- Consider if previous planning work (e.g., studies, engineering plans) can be used and incorporated into the project.
- Identify the study area and determine preliminary category based on screening process.
- Prepare a project description and a consultation plan (if required).
- If required, release Notice of Commencement and post consultation plan on MNM's Class EA web page.

Phase 2 – Project evaluation

- Describe baseline conditions of the *environment* in the study area.
- Evaluate *alternatives*, including predictions of positive and negative environmental effects of alternatives and identification of mitigation and monitoring measures.
- Identify preferred alternative, including mitigation and monitoring measures.
- Release Notice of Opportunity to Provide Input for a (minimum) 30-day consultation period.
- Reassess project status to determine if level of planning and review (i.e., category) is still appropriate.

Phase 3 – Project documentation

- Prepare documentation for project file and/or Environmental Study Report.
- Release Notice of Completion for a (minimum) 30-day review period, if required.

Phase 4 – Project implementation

- Prepare Statement of Completion.
- Implement project as described in the documentation.
- Monitor and evaluate project.

4.5 Coordination and Integration with Other Approval Processes

Under certain circumstances, discretionary tenure decisions or discretionary rehabilitation activities being planned under MNDM's Class EA may require approvals under other federal, provincial and/or municipal legislation. Where appropriate, MNDM will coordinate or integrate the Class EA planning process with the other legislation or planning processes. This means that the planning for the proposed project must be undertaken at the same time as another regulatory approval and meet regulatory requirements jointly. Coordination or integration involves reducing duplication and notification, and sharing consultation and documentation so that the entire process is more timely and efficient.

Occasionally there may be discretionary tenure decisions or discretionary rehabilitation activities that are also subject to another government agency's environmental assessment requirements (e.g., MNDM may need to apply for a land use permit from the Ministry of Natural Resources to construct a temporary access road to an *abandoned mine* site). There may also be circumstances where there is more than one *proponent* and each *proponent* has a Class EA that applies. Proposed projects that need to be assessed under MNDM's Class EA and another Class EA will be coordinated in a manner that ensures the fulfillment of all Class EA requirements, including consultation and documentation requirements.

Where MNDM is the *proponent* of the proposed project, MNDM will follow its Class EA. Where the project of a third party is subject to another Class EA or equivalent approval process and the third party's project is conditional upon a *grant* or transfer from MNDM, the *grant* or transfer by MNDM will not be made until the other approval process is complete. If there is no other Class EA or equivalent process, the project will be assessed under MNDM's Class EA.

Some of MNDM's projects may also be subject to the requirements of the *Canadian Environmental Assessment Act*. For projects that may be subject to the Act, MNDM (or a third party applicant) will notify the Ontario Regional Office of the Canadian Environmental Assessment Agency.

4.6 Mitigation

Mitigation is the process of avoiding, eliminating, offsetting or reducing to an acceptable level the potential environmental effects of a project. It can include restoration or enhancement where feasible.

The majority of discretionary tenure decisions and discretionary rehabilitation activities covered by MNDM's Class EA should be either administrative in nature or produce negative effects that are easily mitigated by applying terms and conditions and/or by following regulations.

Potential negative effects will be identified early in the Class EA screening and planning process in order to develop specific *mitigation measures*, if possible.

All *mitigation measures* will be documented in the project file and/or Environmental Study Report.

4.6.1 Typical Mitigation Measures

Generally, *mitigation measures* may include modifications to the project design or implementation techniques; a change in timing or location; a change in methods used; the addition of terms, conditions or restrictions on MNDM's approval; or other measures to minimize potential negative environmental effects.

Examples of typical *mitigation measures* that MNDM could use to address potential negative environmental effects are listed below. The list is not exhaustive and is provided to illustrate how MNDM may respond to concerns and/or comply with requirements of provincial or federal legislation (e.g., *Fisheries Act*, *Endangered Species Act*, *Ontario Heritage Act*, *Public Lands Act*, etc.), including the *Mine Rehabilitation Code of Ontario*.

Mitigation measures may include:

- timing restrictions to avoid disruption to residents, other users, or species;
- a notice (and schedule, if possible) to affected *surface rights* owners of the project;
- terms and conditions applied to a discretionary tenure decision, (e.g., requirements to hold annual public meetings about the project and/or to provide MNDM with opportunity to review proposed work on an annual basis);
- provisions to protect *cultural heritage resources*, (e.g., requirements to avoid ground disturbance in areas with potential *cultural heritage resources*); and
- modifications to the boundary of a proposed land disposition to exclude any sensitive features.

4.7 Effects Monitoring

Effects monitoring refers to monitoring that may be required as part of the implementation of a discretionary tenure decision or discretionary rehabilitation activity. This is different from compliance monitoring (Section 7.1.1), which is a

monitoring program that determines whether MNDM's Class EA is meeting its intended purpose.

Certain discretionary tenure decisions and rehabilitation activities may require effects monitoring before, during, and after the project has been implemented. For example, MNDM will periodically keep track of, test, sample, or check on a *mine hazard*, which can be a physical hazard or feature (e.g., *tailings dam*) or an environmental hazard or feature (e.g., water quality near *tailings area*) in order to determine or predict environmental toxicity and/or physical stability.

Effects monitoring allows MNDM to assess whether the predictions of potential environmental effects were accurate, and to determine the effectiveness of *mitigation measures*. Effects monitoring allows action to be taken when unintended or unanticipated environmental effects occur.

Requirements for effects monitoring should be considered throughout the Class EA planning process for Category B, C and D projects. The level of effects monitoring required, if any, will depend on the project.

If no effects monitoring is required, then the rationale for this should be included in the project file and/or Environmental Study Report. If effects monitoring is required, a monitoring program will be developed during the Class EA planning process.

5.0 Consultation

Effective and meaningful involvement of *interested persons*, including government ministries and agencies, members of the public and Aboriginal communities, is an integral part of MNDM's Class EA process. Participants in consultation often play a significant role in determining the outcome of a project by providing input and information and raising concerns about the proposed project. The Class EA process is not a consensus-building exercise but the information provided by *interested persons* will assist MNDM in considering all issues while making decisions.

Some projects may affect Aboriginal communities who have asserted or established Aboriginal and treaty rights as protected by Section 35. (1) of the *Constitution Act, 1982*. The requirement to consult with these potentially affected Aboriginal communities is commonly referred to as the *Crown's* "duty to consult". This is a distinct requirement in addition to any consultation with *interested persons* and is discussed in more detail in Section 6.0.

Consultation, as part of the Class EA process, is intended to:

- identify concerns;
- identify government ministries' and agencies' mandates, involvement and concerns;
- identify relevant information, guidelines, policies and standards;
- identify all required approvals, licences or permits;
- provide guidance to MNDM about the preparation of the project documentation and Class EA process;
- provide relevant information to interested government ministries and agencies, members of the public, Aboriginal communities, and other groups or individuals;
- encourage the submission of requests for further information and analysis early in the Class EA process; and
- enable MNDM to make a fair and balanced decision.

5.1 Consultation with Interested Persons

Consultation with government ministries and agencies, members of the public, Aboriginal communities, and other interested groups or individuals is an essential part of planning, designing and implementing projects, as well as a key component of the Ontario environmental assessment process. One element of

the decision-making process is ensuring that those with a potential interest in a proposed project are provided with an opportunity to contribute to and influence MNDM's decisions where possible. Consultation helps to ensure that concerns are identified early and addressed appropriately.

The *Environmental Assessment Act* requires *proponents* to consult with *interested persons* about potential effects of a proposed project proceeding under an approved Class EA.

While *proponents* have a responsibility to provide appropriate information to *interested persons* in a timely manner and address project considerations as much as they can, *interested persons* have a responsibility to learn about the project and the process so that they can raise their concerns in an effective manner.

As the proponent of this Class EA, MNDM will determine the approach to consultation that is required for a project. The approach to consultation is based on the type of project, the level of public interest in the process, the existing *environment* and other circumstances.

Consultation requirements for Category B projects, for example, are less than those of Category D projects because Category B projects are considered to be straightforward, have minor, short-term environmental effects that are well understood and predictable, and/or the expected level of public interest is nil or minimal. Consultation requirements for Category D projects, as another example, are greater because the project may be more complex, several *alternatives* may be under consideration, the environmental setting is very sensitive to disturbance, the number, significance and range of potential environmental effects are high and/or unknown, and/or the expected level of public interest is high or controversial.

For Category D projects, MNDM will prepare (or direct a third party applicant or partner to prepare) a consultation plan that outlines the activities that will take place during the Class EA planning process.

The consultation plan will:

- describe the general consultation methods proposed at each step of the Class EA planning process;
- provide an outline of how input from government ministries and agencies, members of the public, Aboriginal communities, and other interested groups or individuals will be obtained;
- describe how comments and concerns will be considered and inform decision(s);
- describe the milestones and the sequence of events in the Class EA planning process, including when consultation will occur and when decisions will be made; and

- describe how consultation will meet the requirements of the Class EA planning process; and
- include other details as necessary.

The consultation plan will be posted on MNDM's Class EA web page.

MNDM will direct third-party applicants and partners (see Section 2.4), where applicable, to conduct public consultation, including consultation with those who are affected by the project, in a manner that is appropriate for the anticipated environmental effects.

For Category B projects, the opportunity for affected government ministries and agencies, members of the public, Aboriginal communities, and other interested groups or individuals to comment is during the comment period for the Notice of Opportunity to Provide Input. For Category C and D projects, there are multiple opportunities to express concerns, the last being the review period for the Notice of Completion. The consultation process, including the decisions made, will be documented in a Record of Consultation. A separate Record of Consultation is required for Aboriginal consultation (see Section 6.0 Aboriginal Consultation).

The Record of Consultation will:

- describe how the appropriate government ministries and agencies, members of the public, and other interested groups or individuals were identified by MNDM at the beginning of the Class EA planning process;
- describe all notification activities (including dates and copies of all letters and emails, meeting minutes or notes, and details of follow-up phone calls);
- describe all consultation activities that were delegated by MNDM to a third-party applicant or partner;
- include copies of the notices and information provided;
- describe the concerns raised in correspondence from government ministries and agencies, members of the public, and other interested groups or individuals;
- describe dates of face-to-face meetings, lists of attendees, and concerns raised;
- describe how concerns were addressed;
- describe any outstanding concerns; and
- a description of any changes that were made to the project as a result of consultation.

The Record of Consultation will be posted on MNDM's Class EA web page when the Notice of Completion is released and attached as supporting documentation to the project file and/or Environmental Study Report. A template for the Record of Consultation is included in Appendix 7.

Mandatory contact points are described Section 4.0. The contact points described the minimum level of effort that MNDM will undertake or direct a third-party applicant to undertake. Additional or extended notification and consultation with *interested persons* or groups and/or Aboriginal communities may be required, especially for controversial, long-term (i.e., multi-year) or complex projects.

Communication should continue to play an important role during any further design or implementation stages, while seeking other regulatory approvals, and during construction, operation, decommissioning and monitoring, as required.

5.2 Consultation Methods

Consultation, whether to fulfill mandatory consultation requirements described above or to fulfill the constitutional duty to consult, can be achieved by the use of a variety of consultation methods. When selecting appropriate consultation methods, MNDM will consider the nature of the project and the needs of *interested persons* and/or Aboriginal communities. The following is a list of notification and consultation methods that may be used for consulting with *interested persons*:

- direct mail or email;
- newspaper advertisements;
- internet notifications (i.e., MNDM's Class EA web page);
- information notices posted on the Environmental Registry;
- direct correspondence or communication;
- comment forms;
- document viewing locations;
- displays and on-site notices;
- meetings or workshops;
- open houses; and/or
- advisory committees.

This list is not exhaustive; other consultation methods may be considered where appropriate.

For each project, MNDM will determine the appropriate method(s) of consultation to achieve the intent of consultation based on:

- the location and environmental setting of the proposed project;
- *interested persons* and Aboriginal communities to be contacted; and
- known issues that need to be addressed.

6.0 Aboriginal Consultation

The *Crown* has a duty to consult with an Aboriginal community when a proposed project might adversely affect the community's existing or asserted Aboriginal or treaty rights. The scope of the duty to consult is proportional to a preliminary assessment of the strength of the existing or asserted right, and the seriousness of the potential adverse effect.

Projects that are subject to the Class EA may, in some circumstances, have the potential to affect existing or asserted Aboriginal or treaty rights. In these situations, MNDM is responsible for fulfilling the *Crown's* duty to consult. The Class EA will provide a mechanism for engaging and consulting with Aboriginal communities and could, in many circumstances, provide the means by which MNDM can satisfy its duty to consult, where triggered, regarding a project. The Class EA will not, however, alter or detract from the *Crown's* duty to consult. MNDM recognizes that, in certain circumstances, the Class EA process may not be sufficient to satisfy its duty to consult and MNDM will accordingly supplement the Class EA process where appropriate.

The potential environmental effects of projects in this Class EA vary (see Section 2.5) and the impacts on the rights held by Aboriginal communities may be diverse. The nature of consultation will be tailored to the level of impact on Aboriginal or treaty rights. For example, for projects with minimal negative effects, the amount of consultation, including the exchange of information, will be limited. For projects that are more complex and/or where potential negative environmental effects are significant, increased consultation may be required, including face-to-face meetings and ongoing discussions. Accommodation and/or the mitigation of potential impacts may also be required.

Aboriginal communities may share traditional knowledge with MNDM. Traditional knowledge has many different definitions, not all of which are acceptable to all Aboriginal communities. In general, traditional knowledge refers to indigenous knowledge systems that have been developed and maintained over time. Traditional knowledge, as well as community views and desires regarding the use of Aboriginal traditional knowledge, will be treated with respect by MNDM.

At a minimum, Aboriginal communities will be provided with all required notices described in Section 4.0. The approach to consultation will vary according to the circumstances of each project and will be intended to satisfy MNDM's duty to consult.

The Aboriginal consultation process, including the decisions made, will be documented in a Record of Consultation.

The Record of Aboriginal Consultation will:

- describe how the appropriate Aboriginal communities were identified by MNDM the beginning of the Class EA planning process;
- describe all notification activities (including dates and copies of all letters and emails, meeting minutes or notes, and details of follow-up phone calls);
- describe all consultation activities that were delegated by MNDM to a third-party applicant or partner;
- include copies of the notices and information provided;
- describe the concerns raised in correspondence Aboriginal communities;
- include dates of face to face meetings, lists of attendees, and concerns raised;
- describe how concerns were addressed;
- describe any outstanding concerns; and
- describe any changes that were made to the project as a result of consultation.

A template for the Record of Consultation is included in Appendix 7. This record will be added to the project file and will be made available to Aboriginal communities and MOE if requested.

6.1 Projects undertaken by MNDM

For each project that MNDM consults on, MNDM's general consultation approach will be to:

- identify which Aboriginal communities should be consulted in respect of the project (in consultation with other government ministries and agencies, if required);
- coordinate or integrate MNDM's Class EA planning processes with other legislation or planning processes, if required;
- determine, based on the anticipated impacts from the project and the strength of any existing or asserted rights, the scope of required consultation with each identified community, including what steps, if any, are appropriate in addition to those otherwise required for the project by the mandatory consultation requirements;

- supply information to the identified communities and provide for sufficient time for the communities to provide their views of the project and whether it may adversely affect their Aboriginal or treaty rights;
- gather information from the identified communities about how or if the proposed projects have the potential to adversely affect the communities' Aboriginal or treaty rights;
- respond to questions from the identified communities and discuss ways to mitigate any concerns they raise regarding the project;
- assess the adequacy of the consultation process; and
- document the process and decisions made in a Record of Aboriginal Consultation.

6.2 Projects with a Third-Party Applicant or Partner

Although the legal duty to consult with Aboriginal communities rests with the *Crown*, courts have recognized that third parties have an important role to play in Aboriginal consultation. Third-party applicants or partners are often in the best position to describe a project and are best placed to discuss potential changes to the project to address concerns. As a result, where there is a third-party applicant or a partner for a project subject to the Class EA, MNDM will require them to undertake certain procedural aspects of the consultation process. In those circumstances, subject to ongoing oversight and direction from the ministry, MNDM will generally expect third-party applicants or partners to:

- inform Aboriginal communities, as identified by MNDM, about the project;
- consult with identified communities in the manner directed by MNDM and gather information about how or if the project has the potential to adversely affect the communities' Aboriginal or treaty rights;
- discuss with the identified communities, and MNDM if appropriate, ways to mitigate any concerns raised regarding the project;
- document the process and decisions made and report to MNDM in the Record of Consultation; and
- seek further direction or advice from MNDM, if needed.

7.0 Class EA Administrative Procedures

The following sections describe administrative processes for MNDM's Class EA, such as compliance reporting and amending the Class EA, the procedure for emergencies on *Crown land*, and the process for the considering Part II Order requests.

7.1 Compliance Monitoring and Reporting

Compliance monitoring of the administration of MNDM's Class EA, and periodic review and reporting on its Class EA, are necessary to ensure that projects are being carried out in a manner consistent with the provisions in the Class EA and the Ontario environmental assessment process, and to identify any opportunities to improve this Class EA.

7.1.1 Compliance Monitoring

The purpose of compliance monitoring is to ensure that MNDM meets its legislative and regulatory requirements as set out in the *Environmental Assessment Act*. This is different from effects monitoring (Section 4.7), which is project-specific monitoring that may be required as part of the implementation of a discretionary tenure decision or discretionary rehabilitation activity.

The goals of the compliance monitoring program are to:

- provide a framework for MNDM to evaluate compliance with provisions in its Class EA;
- provide an opportunity for MNDM to identify opportunities for continuous improvement of the Class EA;
- provide MNDM with a better understanding of how to fulfill its *Environmental Assessment Act* obligations;
- provide MNDM with an increased awareness of compliance activities; and
- increase *Environmental Assessment Act* compliance rates.

MNDM will compile and retain project files, including completed screening tables, reports and studies, and consultation documentation (i.e., public notices and consultation results). On an annual basis, compliance reports will be submitted to the Director of MOE's Environmental Approvals Branch to be included in the public record as part of the annual reporting as described below.

7.1.2 Annual Reporting

A key aspect of the compliance monitoring program is the preparation of an annual compliance report by MNDM.

MNDM will submit an annual report to the Director of MOE's Environmental Approvals Branch at the end of each fiscal year. These reports will be posted electronically on MNDM's Class EA web page with hard copies available by request.

Annual reports will include:

1. a statement of the effectiveness of the Class EA document in providing for an effectual and efficient planning process, and in protecting the *environment*;
2. descriptions of any changes to MNDM's Class EA document or changes to MNDM's practises or procedures that would improve the document or its administration (this could include any changes such as changes to policies or legislation that might have taken place during the year and could affect the administration of the Class EA);
3. the identification of any common problems experienced with Class EA projects that may suggest a problem in the Class EA procedure;
4. actions that MNDM has proposed or will be proposing to address problems, deficiencies and non-compliance with the Class EA;
5. a statement by MNDM on how it has complied with any conditions in the Notice of Approval of the Class EA and the *Environmental Assessment Act*.
6. a copy of the Notice of Approval and any approved amendments to the Class EA document;
7. the findings and recommendations of any internal audits or third-party audits completed during the course of the year;
8. a summary table listing all Category B, C and D projects that were carried out under the Class EA and a breakdown by class and category, including:
 - the project name and a brief description of the discretionary tenure decision or discretionary rehabilitation activity;

the name of the contact person (e.g., Environmental Assessment Coordinator or responsible manager);

- a description of the location of the project;

- the cost of the project (where applicable); and
- 9. a summary and percentage of Class EA projects planned and completed in accordance with the Class EA for which Part II Order requests were made to the Minister of the Environment and MNDM; including:
 - the number and percentage of requests that were granted, denied or denied with conditions; and
 - the titles, locations, and brief descriptions of the projects.

7.1.3 Monitoring Projects with Part II Orders

For Part II Orders, MNDM will inform the Director of MOE's Environmental Approvals Branch how MNDM or the third party has fulfilled its obligations and complied with any conditions may have been imposed under the Part II Order (see Section 7.5).

7.2 Amendments to MNDM's Class EA

There may be times when MNDM may need to amend its Class EA, due to:

- changes to policy, regulations or legislation;
- changes or improvements in processes;
- the addition of new *undertakings*; and/or
- changes to *undertakings*, classes or categories based on experience and results from applying the Class EA.

Amendments can be brought forward by MNDM, MOE or by other government ministries and agencies, members of the public, Aboriginal communities and organizations, and other *interested persons* or organizations. Written requests for amendments to the Class EA should be submitted to the Director of MOE's Environmental Approvals Branch for minor amendments (see Section 7.2.1) or to the Minister of the Environment for major amendments (see Section 7.2.2).

Before submitting a proposed amendment to MOE, non-MNDM parties should consult with the Director of MNDM's Mineral Development and Lands Branch regarding the proposed amendment.

Proposed amendments must identify the concern or issue with MNDM's Class EA, the reason for the proposal, and the proposed amendment to the document.

If approved, amendments would be appended to this Class EA or included in the body of the document. The Minister of the Environment may require that

consideration of an amendment be postponed until the next review period, as described in Section 7.3.

The two types of amendments, minor and major, are described in the following sections.

7.2.1 Minor Amendments

Minor amendments may include administrative changes, clarifications, updates, or changes to policies and procedures that, in the opinion of the Director of MOE's Environmental Approvals Branch, do not change the intent of the Class EA.

Requests for minor amendments can be brought forward by MNDM or other government ministries and agencies, members of the public, Aboriginal communities, and/or other *interested persons* or organizations. In consultation with the Director of MOE's Environmental Approvals Branch, MNDM will determine the validity of the request and whether the proposal is a minor amendment. If the Director of MOE's Environmental Approvals Branch agrees that the proposed amendment is valid and is appropriate for a minor amendment, then it will be approved by MOE without consultation.

7.2.2 Major Amendments

Major amendments would include changes to MNDM's Class EA that would either change the intent of the Class EA or have a significant effect on the screening, categorization and project review processes in the Class EA. Major amendments may include the addition or removal of certain *undertakings* from the Class EA or the addition of a new class of *undertakings*.

Requests for major amendments can be brought forward by MNDM or other government ministries and agencies, members of the public, Aboriginal communities and organizations, and/or other *interested persons*. In consultation with the Director of MOE's Environmental Approvals Branch, MNDM will determine the validity of the request and whether the proposal is a major amendment. If the Director of MOE's Environmental Approvals Branch agrees that the proposed amendment is valid and is appropriate for a major amendment, MNDM will undertake consultation on the proposed amendment.

Consultation will include, at a minimum, an Information Notice posting on the Environmental Registry for 30 days. The notice will also be posted on MNDM's Class EA web page. Government ministries and agencies, members of the public, Aboriginal communities, and other *interested persons* and organizations will be invited to submit comments on the proposed amendment to the Director of the Environmental Approvals Branch. Comments will be shared with MNDM by MOE for consideration.

The Minister of the Environment may require that consideration of an amendment be postponed until the next review period, as described in Section 7.3.

Based on the comments received and MNDM's response to the comments the Minister of the Environment may approve the amendment, approve the amendment with conditions, or deny the amendment. Notice will be provided to commenters and an Information Notice will be posted on the Environmental Registry and on MNDM's Class EA web page.

7.3 Review of the Class EA

This Class EA will be reviewed by MNDM every five years. The five-year review will commence on or before the end of the fiscal year of the fifth anniversary of the date the Class EA went into effect and will occur every five years thereafter. Each review will be submitted to the Director of MOE's Environmental Approvals Branch and placed on the public record.

The review will provide:

- a description of any changes in relevant legislation or policy since the approval of the Class EA or since the last five-year review;
- an analysis of the annual reports submitted during the five-year period; and
- a description of any proposed amendments to the Class EA or improvements to the administration of the Class EA to ensure that it continues to meet the purpose of the *Environmental Assessment Act*.

Proposed amendments to the Class EA will be undertaken in accordance with Section 7.2.

7.4 Emergencies

In the case of an emergency, where MNDM has reasonable grounds to believe that a *mine hazard* is causing or is likely to cause an immediate and dangerous adverse effect, MNDM or its agents may be required to take immediate steps to prevent, eliminate and alleviate the threat as soon as possible. *Emergency* measures are directed at the *mine hazard* that is the cause of the adverse effect; any other *mine hazards* that may be in the vicinity are not included in the *emergency undertaking*. *Emergency* measures are limited to what is required to prevent or stop the adverse effect and ensuring that no additional adverse effects are created. Emergencies may include imminent or actual threats to human life and safety; property loss or damage; erosion or failure of natural features or human-made structures; and chemical spills. Examples of emergencies include catastrophic *tailings dam* breaches, sudden ground subsidence in a populated area, and chemical storage containment failures.

MNDM will consider all aspects of the *environment* when determining the preferred method of *emergency* intervention and will make its best efforts to minimize or mitigate any potential negative effects.

MNDM's procedure for addressing an *emergency* includes internal, high level approvals as well as notification to relevant government ministries and agencies and affected people and communities.

7.4.1 Emergencies Measures Pursuant to Section 148 of the *Mining Act*

Section 148 of the *Mining Act* governs the way in which MNDM addresses emergencies in certain circumstances. In general, Section 148 addresses emergencies that take place on private land. The *Environmental Assessment Act* is not applicable to *emergency* measures undertaken by or on behalf of MNDM pursuant to Section 148. (6) of the *Mining Act*.

7.4.2 Emergencies when Section 148 is not Applicable

Emergency measures undertaken by MNDM when Section 148 of the *Mining Act* is not applicable are subject to the *Environmental Assessment Act* and are included in this Class EA. In general, emergencies where Section 148 is not applicable take place on Crown land. *Emergency* measures are pre-assigned as Category A activities because of their urgent nature.

In the event that MNDM is required to respond to an *emergency* when Section 148 of the *Mining Act* is not applicable, the Ministry will document the need for immediate action and the type of action taken.

7.4.2.1 Notification to the Ministry of the Environment

MNDM will notify the Director of MOE's Environmental Approvals Branch within 30 calendar days after completing the *emergency* measures. An *emergency* incident report (Appendix 8) will be prepared and will:

- provide the name, location and a description of the *emergency* including, where available, before-and-after photographic documentation;
- include a copy of public notification(s), if any;
- describe the results of the action(s) taken and the resulting environmental effects (if any); and
- describe any future remedial actions and monitoring efforts, if required.

7.4.3 Consultation Requirements for Emergencies

MNDM will provide notice of the *emergency* projects carried out under this Class EA to potentially affected Aboriginal and local communities, any *surface rights* or

mining rights holders in the area, municipalities, and the appropriate government ministries or agencies (e.g., MNR district office and MOE regional office).

Consultation will be carried out prior to and during the course of rehabilitation, if possible, and afterwards. The level and method(s) of consultation required will be determined by the scale of the *emergency*. Consultation methods can range from a phone call to a municipal office or the leadership of an affected Aboriginal community, to a mail-out to local communities, to an open house meeting with community members.

7.5 Part II Order Process

Class EAs are appropriate for classes of *undertakings* that have predictable and easily mitigated effects that are not of a size or scale that warrant an *individual environmental assessment*. However, Class EA *undertakings* may have potential environmental effects that were not considered when the Class EA was developed or that may have significant government agency, public, and/or Aboriginal community concerns associated with them. In such circumstances, a proposed project can be elevated to an *individual environmental assessment* by a Part II Order made by the Minister of the Environment.

The authority to make a Part II Order is granted by Section 16. (1) of the *Environmental Assessment Act*. Any person may request the Minister of the Environment or delegate to make a Part II Order, or the Minister may make an order under his or her own initiative.

MOE's *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario* (2009), describes the Part II Order process as an important tool to be used only when there are significant concerns with a proposed project and an *individual environmental assessment* is required in order to conduct a more detailed assessment.

7.5.1 Making a Part II Order Request

MNDM's Class EA provides government ministries and agencies, members of the public, Aboriginal communities, and other *interested persons* and organizations with the opportunity to provide input into MNDM's decision-making process. The Part II Order provisions in MNDM's Class EA are applicable after a Notice of Completion has been issued for a proposed project.

After the Notice of Completion has been released, a person with a concern has a minimum of 30 calendar days to request that the Minister of the Environment make a Part II Order requiring that the project be made subject to an *individual environmental assessment*.

MNDM recommends that an interested person(s) with a concern about a discretionary tenure decision or discretionary rehabilitation activity should bring their concern to the attention of MNDM within the 30-day review period after the

Notice of Completion has been released, before submitting a Part II Order request.

The concern should be submitted in writing and discussed with MNDM staff. Ideally, the concern should be expressed as early as possible in the Class EA planning process (i.e., well before the Notice of Completion is released) as MNDM may have greater flexibility to accommodate changes to the Class EA planning process at that time.

The Minister of the Environment can issue a Part II Order requiring MNDM to undertake an *individual environmental assessment*. The Part II Order request must be made in writing to the Minister of the Environment with a copy to MNDM, and must be received within the 30-day review period after the release of the Notice of Completion.

As per MOE's *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario*, the written request must include the name of the proposed project and the *proponent* (MNDM), and must address the following issues (as they relate to the identified concerns with the Class EA project review and planning process or the potential environmental effects of the proposed project):

- the potential environmental effects of the proposed project and their significance;
- the adequacy of the of the Class EA planning process and compliance with the approved Class EA process;
- the availability of other *alternatives to* the proposed project (where appropriate, since some projects may not have any alternative);
- the adequacy of the consultation program, including Aboriginal consultation, and the opportunities for consultation;
- the involvement of the requester in the planning of the proposed project;
- the nature of the specific concerns which remain unresolved;
- details of the discussions held between the requester and MNDM;
- the benefits of requiring MNDM to undertake an *individual environmental assessment*; and
- any other important matters the requester considers to be relevant.

MNDM will initiate or resume discussions with the requester to attempt to resolve the concern(s) raised in the Part II Order request. MNDM and the requester may also consider some form of dispute resolution process.

If there is any progress in addressing the concern, MNDM and the requester may agree to request the Director of MOE's Environmental Approvals Branch, in writing, to defer the review of the Part II Order request for up to 60 days (i.e., after the 30-day review period for the Notice of Completion) to allow time for further discussion to take place between MNDM and the requester prior to the Minister of the Environment's decision on the request.

MNDM and the requester will provide MOE with a written account and outcome of the discussion and its outcomes, and whether the Part II Order request is confirmed or withdrawn. MOE will acknowledge receipt, in writing, of the account and outcome. It is the responsibility of MNDM and the interested person(s) to resolve concerns raised in the Part II Order request.

7.5.2 MOE Review of the Part II Order Request

A Part II Order request will be considered by the Minister of the Environment if it is received during the 30-day review period after MNDM has issued a Notice of Completion. If the Minister receives a Part II Order request before the Notice of Completion has been released, the request will be considered to be premature by MOE.

When a Part II request is received by the Minister of the Environment, and if MNDM is unable to resolve the concerns raised in the Part II Order request (see Section 7.5.1), the Project Evaluator at the Environmental Approvals Branch shall request that MNDM provide a copy of any relevant documentation (e.g., project file, records of public and Aboriginal consultation). MOE's review of the Part II Order request will commence upon receipt of all required information.

After receiving all of the required information from MNDM the Environmental Approvals Branch will review the concerns raised in the Part II Order request and will make recommendations to the Minister of the Environment within 45 calendar days.

7.5.3 Minister of the Environment's Decision on the Part II Order Request

The Minister of the Environment will consider the information and documentation submitted by MNDM, the requester, and any person the Minister chooses to consult with before making a decision. The Minister will also consider the evaluation criteria for Part II Order requests listed in Section 16. (4) of the *Environmental Assessment Act*:

- the purpose of the Act;
- the factors suggesting that the proposed project differs from other *undertakings* in the class to which the Class EA applies;
- the significance of the factors and of the differences mentioned above;

- any reasons given by a person who requests the order;
- the mediator's report, if any, following a referral to mediation (per Section 16. (6) of the Act); and
- such other matters as the Minister considers appropriate.

The Minister of the Environment will make a decision 21 days after receiving the recommendation from the Environmental Approvals Branch and will decide to do one of the following:

- issue a Part II Order;
- deny the Part II Order request with or without conditions;
- refer the Part II Order request to mediation before making a decision; or
- advise MNDM to revise its planning where there is evidence that the proposed project has not been prepared in accordance with the Class EA.

The Minister of the Environment's decision is still valid if made after the deadline. MNDM will not proceed with any part of the project, or give consent to a third-party applicant to proceed with any part of the project, prior to the Minister's decision.

If the Minister decides to make a Part II Order, he or she will notify MNDM, the Part II Order requester(s) and other *interested persons*, and provide them with written reasons for that decision. If MNDM still wishes to pursue the project, MNDM will prepare an *individual environmental assessment* in accordance with Part II of the *Environmental Assessment Act*.

If the Minister of the Environment decides to deny the Part II Order request, he or she will notify MNDM, the Part II Order requester(s) and other interested person and provide them with written reasons for that decision. MNDM will then continue to plan and implement the project in accordance with the documentation, including commitments made during the review of the Part II Order request. MNDM will also comply with any conditions that may have been specified by the Minister.

MNDM will document for the project file how MNDM has complied with the Minister of the Environment's decision and will amend any other project documentation (e.g., Environmental Study Report) as necessary.

7.6 Changing a Project after the Class EA Process is Complete

MNDM may proceed with a project within five years of filing a Statement of Completion.

In certain circumstances, a discretionary tenure decision or discretionary rehabilitation activity may not be implemented as it was originally planned. This section describes the process for making changes after a Statement of Completion has been filed.

7.6.1 Addendum Procedure

If MNDM needs to modify a project within five years of filing a Statement of Completion the discretionary tenure decision or discretionary rehabilitation activity will be screened according to Section 3.1.

MNDM will consider:

- why the change is required;
- what are the potential environmental effects of the modification; and
- what *mitigation measures* can be implemented to reduce any potential negative environmental effects.

If there are no changes to any potential negative environmental effects or level of public or agency concern, and if there are no new potential negative or unknown environmental effects, the modification will be considered to be minor and MNDM (or the third-party applicant or partner) can proceed with project implementation. MNDM's rationale for the minor modification will be documented in the project file and/or the Environmental Study Report.

If there is an increase in potential negative environmental effects or level of public or agency concern, and/or if there new potential negative or unknown environmental effects, the modification will be considered major. Modifications to the project, including MNDM's consideration of the modifications, will be documented as an addendum to the project file and/or the Environmental Study Report.

A Notice of Filing an Addendum (Category B) or revised Notice of Completion (Category C or D) will be provided to other government ministries and agencies (including the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch), members of the public, Aboriginal communities, and other *interested persons* and organizations, including those who expressed an interest in the initial process, with a minimum 30-day opportunity to provide input on the revised project. The Notice will describe the project and its assigned category, note the date when the Statement of Completion was filed, and provide rationale for the intent to proceed with the project. The Notice will also include contact information and, if required, details regarding the opportunity to request a Part II Order.

Sample notices are provided in Appendix 6.

7.6.2 Lapse of Time

If MNDM wants to proceed with a Category B, C or D project after five years has passed, the project shall be reviewed and any changes that may have taken place since the filing of the Statement of Completion will be documented. MNDM will determine if the project review process and any *mitigation measures* are still valid. If yes, a sample format for the notice is provided in Appendix 6. If not, the project will be treated as a new project and will be screened and implemented in accordance with sections 3.0 and 4.0.

If MNDM determines that the project may proceed, a Notice of Intention to Proceed with the project will be sent to government ministries and agencies, the MOE Regional Director, Regional Area Supervisor and the Director of the Environmental Approvals Branch, members of the public, Aboriginal communities, and other *interested persons* and organizations, including those who expressed an interest in the initial process. A minimum 30-day response period will be provided. The notice will describe the project and its assigned category, note the date of the filing of the Statement of Completion, and provide rationale for the intent to proceed with the project. Contact information and details regarding the opportunity to request a Part II Order will also be included.

Sample notices are provided in Appendix 6.

APPENDIX 1: GLOSSARY

Abandoned mine: a site where the mining rights holder has ceased or indefinitely suspended *exploration*, mining, or mine production on a site without rehabilitating it.

Adit: an opening driven into the side of a hill to access a mineral deposit.

Alter: as defined in the *Ontario Heritage Act*, means to change in any manner and includes to restore, renovate, repair or disturb; “alteration” has a corresponding meaning.

Alternatives: defined in MOE’s *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario* as both *alternatives methods* and *alternatives to* a proposed undertaking.

Alternatives to: defined in MOE’s *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario* as functionally different ways of approaching and dealing with a problem or opportunity.

Alternative Methods: defined in MOE’s *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario* as different ways of doing the same activity. Alternative methods could include consideration of one or more of the following: alternative technologies; alternative methods of applying specific technologies; alternative sites for a proposed undertaking; alternative design methods; and alternative methods of operating any facilities associated with a proposed undertaking.

Archaeological resources: include artifacts, archaeological sites, and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. Refer to Ontario Regulation 170/04 under the Act for definitions of the terms “artifacts”, “archaeological site”, “marine archaeological site” and “archaeological fieldwork”.

Backfill: to refill a pit or other excavation, usually with excavated material

Bulk Sample: a specified quantity of a mineral bearing substance removed from an unpatented mining claim for the purposes of testing mineral content. Permission to remove the bulk sample is considered pursuant to Section 52 of the *Mining Act*.

Chattels: includes any building, structure, machinery, personal property, ore, slimes, *tailings* or other effects not otherwise privately owned and on mining lands that have reverted to the Crown.

Closure plan: defined in the *Mining Act* as a plan to rehabilitate a site or mine hazard that has been prepared in the prescribed manner and filed in accordance with the *Mining Act* and that includes provision in the prescribed manner of financial assurance to the Crown for the performance of the closure plan requirements.

Consultant Archaeologist: means a licensed archaeologist who enters into an agreement with a client to carry out or supervise archaeological fieldwork on behalf of the client, produce reports for or on behalf of the client and provide technical advice to the client.

Crown: as defined in the *Mining Act*, means Crown in right of Ontario.

Crown land: as defined in the *Mining Act*, does not include,

- a) land, the surface rights, mining rights or the mining and surface rights of which are under lease or licence of occupation from the Crown;
- b) land in the actual use or occupation of the Crown, the Crown in Right of Canada, or of a department of the Government of Canada or a ministry of the Government of Ontario;
- c) land the use of which is withdrawn or set apart or appropriated for a public purpose; or
- d) land held by a ministry of the Government of Ontario.

Crown pillar: a rock mass of variable geometry that is situated above the uppermost underground workings of a mine and that serves to permanently or temporarily ensure the stability of surface elements and underground workings.

Cultural heritage resources: include built heritage resources, cultural heritage landscapes, and archaeological sites.

- Built heritage resources means one or more significant buildings (including fixtures or equipment located in or forming part of a building), structures, earthworks, monuments, installations, or remains that have cultural heritage value.
- Cultural heritage landscape means a defined geographical area that human activity has modified and that has cultural heritage value. Such an area involves one or more groupings of individual heritage features, such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form distinct from that of its constituent elements or parts. Heritage conservation districts designated under the Ontario Heritage Act, villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trails, and industrial complexes of cultural heritage value are some examples.

- Archaeological site means any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest. Marine archaeological site means an archaeological site that is fully or partially submerged or that lies below or partially below the high-water mark of any body of water.

Cultural heritage value or interest: means the *cultural heritage value or interest* of a property determined in accordance with the “*Criteria for Determining Cultural heritage value or interest*” set out in Ontario Regulation 9/06 made under the *Ontario Heritage Act* or, in respect of properties of provincial significance, determined in accordance with the “*Criteria for Determining Cultural Heritage Value of Provincial Significance*” set out in Ontario Regulation 10/06 made under the *Ontario Heritage Act* and, for archaeological resources, means the *cultural heritage value or interest* of any archaeological resource as determined in accordance with the *Standards and Guidelines for Consultant Archaeologists* prepared and published by MTCS under the *Ontario Heritage Act*.

Decant tower: an intake structure used in tailings management that removes clear water from the surface of the tailings.

Declaration order: an order that declares an undertaking exempt from the requirements of the *Environmental Assessment Act*, subject to certain terms and conditions.

Decline: a sloping underground opening for equipment access from surface to underground or from level to level. Also referred to as a ramp.

Discretionary grant: a grant of land or an interest in land over which the ministry has discretion whether or not to issue the grant (e.g., *surface rights* only leases, exploratory licences of occupation, mining lease and fee simple Crown patents issued under special circumstances).

Disposition (under the *Mining Act*): the process whereby the Crown disposes of surface and/or mining rights under the *Mining Act*, usually through the issuance of a licence of occupation, a leasehold patent or a fee simple patent

Emergency: A circumstance in which a mine hazard is causing or is likely to cause an immediate and dangerous adverse effect and that may require the Ministry to take immediate steps to prevent, eliminate and alleviate the threat posed by the mine hazard. Examples of emergencies include imminent or actual threats to human life and safety, property loss or damage, erosion or failure of natural features or human-made structures (such as tailings dams), sudden or imminent ground subsidence and chemical spills.

Environment: defined in the *Environmental Assessment Act* to mean

- a) air, land or water;

- b) plant and animal life, including human life;
- c) the social, economic and cultural conditions that influence the life of humans or a community;
- d) any building, structure, machine or other device or thing made by humans;
- e) any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities; or
- f) any part or combination of the foregoing and the interrelationships between any two or more of them.

Exploration: any activity pertaining to the search for and investigation of minerals.

Exploratory Licence of Occupation: a licence which allows exploration of tracts of land and/or land under water, under specific terms set by the Minister of Northern Development and Mines. The licence is issued at the discretion of the Minister for areas where the lands are not open for mining claim staking, or where mining claim staking is not feasible, etc. The licensee does not have the right to mine.

Financial assurance: required as part of a closure plan, it consists of one of the following, and is in the amount specified in the closure plan filed with the Director of Mine Rehabilitation or any amendment to the closure plan:

- a) cash;
- b) a letter of credit from a bank named in Schedule 1 of the *Bank Act* (Canada);
- c) a bond of an insurer licensed under the *Insurance Act* to write surety and fidelity insurance;
- d) a mining reclamation trust as defined in the *Income Tax Act* (Canada);
- e) compliance with a corporate financial test in the prescribed manner; or
- f) any other form of security or any other guarantee or protection, including a pledge of assets, a sinking fund or royalties per tonne, that is acceptable to the Director of Mine Rehabilitation.

Geoscience: an all-embracing term for the sciences related to the earth that includes the study of the atmosphere, hydrosphere, oceans and biosphere, as well as the solid earth. Geoscientists use tools from other sciences to build a

quantitative understanding of how the earth works and how it evolved to its current state.

Heap leaching: the process for extracting metals from crushed ore using leaching solutions that are sprinkled on the top of the ore pile to percolate through the ore and collect on an impermeable liner below. This industrial process is most commonly used to recover precious metals, copper and uranium.

Heritage attributes: as defined in the *Ontario Heritage Act*, means the physical features or elements that contribute to a property's cultural heritage value or interest, and may include a site's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting.

Hoist: a machine used to raise and lower a cage or other conveyance in a mine shaft.

Individual Environmental Assessment: defined in MOE's *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario* as a study which assesses the potential environmental effects (positive or negative) of an individual proposal. Key components of an environmental assessment include consultation with government agencies and the public; consideration and evaluation of alternatives; and the management of potential environmental effects. Conducting an environmental assessment promotes good environmental planning before decisions are made about proceeding with a proposal.

Interested persons: individuals or organizations with an interest in a particular undertaking. Persons with an interest in a particular undertaking often include neighbours and individuals, environmental groups or clubs, naturalist organizations, agricultural organizations, sports or recreational groups, organizations from the local community, municipal heritage committees, ratepayers associations, cottage associations, Aboriginal peoples and businesses.

Licence of occupation: a licence of occupation is issued by Order-in-Council, and is for areas that are not open to mining claim staking or where mining claim staking is not feasible. Licenses of occupation are/were issued in two forms under the *Mining Act*: Exploratory Licence of Occupation and Mining Licence of Occupation (see definitions).

Mineral deposit: a mass of naturally occurring mineral material, e.g., metal ores or non-metallic minerals, usually of economic value, without regard to the mode of origin.

Mineral development: the underground work carried out for the purpose of reaching and opening up a mineral deposit. It includes shaft sinking, cross-cutting, drifting and raising.

Mine hazard: defined in the *Mining Act* as any feature of a mine, or any disturbance of the ground, that has not been rehabilitated to the prescribed standard.

Mine shaft: an excavated vertical or sloping passageway for finding or mining ore or for ventilating a mine.

Mining claim: defined in the *Mining Act* as a parcel of land, including land under water that has been staked and recorded in accordance with the *Mining Act* and its regulations.

Mining claim staking: comprises ground staking and map staking. Ground staking is a physical process and includes actions on the ground to mark out a *mining claim* by erecting and inscribing posts at the corners and along the boundaries, and blazing along the boundaries. Map staking (also called paper staking) is the process of submitting an application form (whether in hard copy or through a digital staking portal) describing the land to be claimed rather than physically staking it.

Mining lands: as defined in the *Mining Act*, include

- a) the lands and mining rights patented or leased under or by authority of a statute, regulation or Order-in-Council, respecting mines, minerals or mining;
- b) lands or mining rights located, staked, used or intended to be used for mining purposes; and
- c) surface rights granted solely for mining purposes.

Mining lease: A mining lease, for the purposes of this Class EA, is a lease issued by the Crown pursuant to the *Mining Act*. A mining lease may be a lease of both the *surface rights* and the mining rights, or just the mining rights alone, but in all circumstances the lease confers on the lessee the right to access, enter and occupy the lands for the purpose of extracting the minerals. Note: the definition of mining lease does not include surface rights only leases.

Mining licence of occupation: these licenses were issued under section 41 of the *Mining Act* prior to an amendment to the Act in 1964. After the amendment, they were no longer issued. The licences were issued in perpetuity, i.e., they do not expire and renewals are not required. The licensee has the right to mine.

Mining patent: for the purposes of this Class EA, means a grant from the Crown in fee simple, also referred to as freehold patents. The patent cannot be terminated by MNDM, except for voluntary surrender or non payment of mining lands taxes.

Mining rights: defined in the *Mining Act* as rights to minerals on, in or under any land.

Mitigation measures: measures that eliminate, reduce or control the adverse environmental effects of a project, including restitution for any damage to the environment caused by such effects through replacement, restoration, compensation or other means. The means by which projects can be modified to minimize or eliminate potential negative effects.

Open cut or open pit: a pit or other excavation created by the extraction of rock or minerals from the earth.

Order-in-Council: a legislative instrument generated by Lieutenant Governor in Council which constitutes a formal recommendation of Cabinet that is approved and signed by the Lieutenant Governor.

Overburden: vegetation, soil and waste rock that overlies the mineral deposit of interest.

Proponent: defined in the *Environmental Assessment Act* as *person who*,

- a) carries out or proposes to carry out an undertaking, or
- b) is the owner or person having charge, management or control of an undertaking;

Prospecting: defined in the *Mining Act* as the investigation of, or search for, minerals.

Protective measures: defined in the *Mining Act* as steps taken in accordance with the prescribed standards to protect public health and safety, property and the environment.

Qualified person: means an individual having relevant, recent experience in the identification, evaluation of cultural heritage resources. Such individuals may be professional engineers, architects, historians, etc., but may not necessarily be limited to those professions. For archaeological resources, only archaeologists licensed under Part VI of the *Ontario Heritage Act* should conduct archaeological fieldwork.

Raise: a vertical or incline underground working that has been excavated from the bottom upward.

Rehabilitate: defined in the *Mining Act* as measures, including protective measures, taken in accordance with the prescribed standards to treat a site or mine hazard so that the use or condition of the site is restored to its former use or condition, or is made suitable for some other use that the Director of Mine Rehabilitation sees fit.

Roasting yard: a site where a historical process was used to separate nickel and copper from crushed ore by layering crushed ore over wood and igniting it.

Significant Ground Disturbance: means to interfere with or alter the existing condition of the ground, whether it's above or below water, through human actions that have the potential to affect cultural heritage resources, and includes altering the existing grade of land, compacting, excavating or removing topsoil, power spraying, dredging, placing or dumping fill, removing vegetation, allowing heavy vehicle traffic, trenching (for services, etc.), drainage ditch construction, trail construction, and scarification, but does not including regular farming practices such as plowing or tilling.

Sites of Aboriginal Cultural Significance: a site that is strongly identified with an Aboriginal community's social, cultural, sacred, or ceremonial reasons or because of its traditional use by that community.

Stope: a step-like excavation made in a mine to extract ore from steeply inclined or vertical ore zones.

Stripping: the process of removing overburden to access a mineral deposit.

Surface rights: defined in the *Mining Act* as every right in land, other than the mining rights.

Surface rights only lease: for the purposes of this Class EA, a surface rights only lease is a lease issued pursuant to the *Mining Act* that gives the exclusive use of the surface rights for the lands for mining or exploration purposes to an existing lessee or owner of mining rights or a holder of a mining licence of occupation. This kind of lease is for available surface rights, whether they lie inside or outside the lands covered by an existing mining lease, or fee simple patent or licence of occupation for mining purposes.

Tailings: the residual material or byproduct remaining after the ore is milled and the valuable mineral(s) have been separated from the host rock.

Tailings dam: an engineered structure designed to hold back and impound the enclosed tailings, as well as any water or other materials that may be located within the tailings dam area.

Technical cultural heritage studies: may include archaeological assessments; historic research, site analyses and evaluations of cultural heritage value or interest; heritage impact assessments; heritage conservation plans; or studies of mitigation options appropriate to each."

Tramway: lightly laid railway used for moving rock and waste around the mine.

Undertaking: defined in the *Environmental Assessment Act* as

- a) an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity by or on behalf of Her Majesty in right of Ontario, by a public body or public bodies or by a municipality or municipalities;
- b) a major commercial or business enterprise or activity or a proposal, plan or program in respect of a major commercial or business enterprise or activity of a person or persons other than a person or persons referred to in clause (a) that is designated by the regulations; or
- c) an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity of a person or persons, other than a person or persons referred to in clause (a), if an agreement is entered into under Section 3.0.1 of the Act in respect of the enterprise, activity, proposal, plan or program.

Visual setting: includes significant views or vistas to or from a heritage property.

Winze: an inclined or vertical mine shaft or passage between levels in a mine.

APPENDIX 2: REHABILITATION METHODS

Below is a descriptive version of the list of rehabilitation methods listed in Table 2 of Section 2.2.3. This list is not exhaustive; there may be other rehabilitation methods available now and new methods may be used in the future.

Hazard Grouping	Type of Hazard	Rehabilitation Method
Openings to surface	Adits	Backfill with aggregate Concrete cap or plug Bat-friendly gate Blast in Post signs Stabilize
	Areas of subsidence	Backfill with aggregate Concrete cap or plug Blast in Fill with concrete Fence Post signs Boulder fence Stabilize
	Exploration shafts	Backfill with aggregate Concrete cap or plug Bat-friendly gate Fence
	Mine shafts	Backfill with aggregate Concrete cap or plug Bat-friendly gate Fence
	Open cuts	Backfill with aggregate Concrete cap or plug Blast in Fill with concrete Fence Stabilize

Hazard Grouping	Type of Hazard	Rehabilitation Method
	Open pits	Backfill with aggregate Blast in Fence Berm Flood Post signs Boulder fence Stabilize
	Portals, declines or ramps	Backfill with aggregate Concrete cap or plug Bat-friendly gate Blast in Post signs
	Raises to surface	Backfill with aggregate Concrete cap or plug Bat-friendly gate Fence
	Stopes to surface	Backfill with aggregate Concrete cap or plug Blast in Fill with concrete Fence Post signs Boulder fence Stabilize
	Stripping	Backfill with aggregate Fence Post signs Boulder fence Stabilize
Trenches	Trenches	Backfill with aggregate Concrete cap or plug Blast in Fill with concrete Fence Stabilize
Buildings	Administrative building	Remove, relocate or demolish Other uses Bury

Hazard Grouping	Type of Hazard	Rehabilitation Method
	Explosives building	Remove, relocate or demolish Post signs Disposal
	Head frame	Remove, relocate or demolish Other uses
	Hoist room	Remove, relocate or demolish
	Housing	Remove, relocate or demolish Other uses Bury
	Laboratory	Remove, relocate or demolish Other uses Disposal
	Mill / mill foundation	Remove, relocate or demolish Bury Disposal
	Miscellaneous structures	Remove, relocate or demolish Bury Disposal
	Other infrastructure	Remove, relocate or demolish Other uses Bury Disposal
	Smelter / refinery	Remove, relocate or demolish Disposal
	Smoke stack	Remove, relocate or demolish Disposal
	Water tower	Remove, relocate or demolish Other uses
Equipment	Electrical substations	Remove, relocate or demolish Other uses Bury Recycle Disposal
	Equipment	Remove, relocate or demolish Other uses Bury Recycle

Hazard Grouping	Type of Hazard	Rehabilitation Method
	Tramways	Remove, relocate or demolish Other uses Bury Recycle
Drainage control structures	Decant tower	Long-term monitoring
	Drainage control structure	Wet cover Long-term monitoring
	<i>Tailings dam</i>	Long-term monitoring Breach Vegetate
Chemical storage facilities	Chemical storage facilities	Post signs Long-term monitoring Disposal
	Chemical wastes	Post signs Recycle Incinerate Disposal
	Fuel Storage	Post signs Other uses Recycle Long-term monitoring Incinerate Disposal
	Polychlorinated biphenyl (PCB) storage	Post signs Recycle Incinerate Disposal
Other underground workings	Lateral workings	Backfill with aggregate Concrete cap or plug Blast in Fill with concrete Flood Long-term monitoring

Hazard Grouping	Type of Hazard	Rehabilitation Method
	Stope	Backfill with aggregate Concrete cap or plug Blast in Fill with concrete Fence Berm Post signs Boulder fence Long-term monitoring Do nothing
	Winze	Backfill with concrete Long-term monitoring Do nothing
Mine subsidence (crown pillars)	Areas of subsidence	Concrete cap or plug Blast in Fence Berm Post signs Boulder fence Long-term monitoring Do nothing
Stockpiles	Ore stockpiles	Fence Berm Post signs Wet cover Dry cover Boulder fence Bury Long-term monitoring Vegetate Do nothing Process (e.g., mill and/or smelt), mill, and/or smelt Collection and treatment Stabilize Disposal

Hazard Grouping	Type of Hazard	Rehabilitation Method
	Overburden stockpiles	Fence Berm Post signs Wet cover Dry cover Boulder fence Other uses Bury Long-term monitoring Vegetate Do nothing Collection and treatment Stabilize Disposal
	Waste-rock dumps	Fence Berm Post signs Wet cover Dry cover Boulder fence Other uses Bury Long-term monitoring Vegetate Do nothing Collection and treatment Stabilize Disposal
<i>Tailings</i>	<i>Confined tailings</i>	Remove, relocate or demolish Flood Wet cover Dry cover Long-term monitoring Vegetate Do nothing Process (e.g., mill and/or smelt), mill and/or smelt Impound Collection and treatment Stabilize Disposal

Hazard Grouping	Type of Hazard	Rehabilitation Method
	Unconfined <i>tailings</i>	Remove, relocate or demolish Flood Wet cover Dry cover Long-term monitoring Vegetate Do nothing Process (e.g., mill and/or smelt), mill and/or smelt Impound Collection and treatment Stabilize Disposal
Acid / neutral mine drainage	Acid-generating <i>tailings</i>	Remove, relocate or demolish Fence Berm Flood Post signs Wet cover Dry cover Boulder fence Long-term monitoring Vegetate Process (e.g., mill and/or smelt), mill and/or smelt Impound Collection and treatment Stabilize Disposal

Hazard Grouping	Type of Hazard	Rehabilitation Method
	<i>Heap leach</i>	Remove, relocate or demolish Fence Berm Post signs Wet cover Dry cover Boulder fence Long-term monitoring Vegetate Do nothing Process (e.g., mill and/or smelt), mill and/or smelt Collection and treatment Stabilize Disposal
	Roasting yards	Remove, relocate or demolish Fence Berm Post signs Wet cover Dry cover Boulder fence Long-term monitoring Vegetate Do nothing Process (e.g., mill and/or smelt), mill and/or smelt Collection and treatment Stabilize Disposal
	Treatment plants	Remove, relocate or demolish Post signs Other uses Recycle Long-term monitoring Do nothing Disposal

APPENDIX 3: SCREENING CRITERIA PROCEDURE

MNDM's Class EA screening process is used to assess the level of potential environmental effects of a proposed project. The steps in the screening process (per Section 3.1) are listed below. Table 1 lists all of MNDM's discretionary activities that are subject to the *Environmental Assessment Act*.

Discretionary tenure decisions that are strictly "administrative" in nature and which do not change a land use that is permitted under existing *mining rights* are listed in Table 4; these decisions have no potential environmental effects and are pre-assigned to Category A.

The screening process for all other projects is made up of two sequential parts that are used to determine the level of effect on the *environment* (tables 4 to 6). The screening process for discretionary tenure decisions not listed in table 4 is initiated at the Part 1 screening criteria (Table 5), with the exception of permissions to test mineral content (*bulk samples*), which are initiated at Part 2 (Table 6). For discretionary rehabilitation activities, the screening process is initiated at Part 2 (Table 6).

MNDM will document the screening process and decision-making rationale for every activity and include it in the project file.

Procedure for Category A Projects

1. Cross reference the proposed project with Table 4 to determine if it is a pre-screened project. If so, proceed to step 3.
2. Screen the proposed project according to Section 3.1.1 to determine category. If the discretionary tenure decision is not a Category A, see "Process for Discretionary Tenure Decisions", below.
3. Proceed with planning and consultation requirements, requirements, per sections 3.2.1, 4.0, 5.0 and 6.0).

Procedure for Discretionary Tenure Decisions (other than Permission to Test Mineral Content)

1. Prepare a description of the proposed project, with reference to the appropriate section of the *Mining Act*.
2. Screen the project according to Section 3.1.1.

3. Assign the project to the appropriate category (Section 3.2) and document the decision using the form provided in Appendix 4.
4. Supervisor or Environmental Assessment Coordinator will confirm or modify category and sign off on the screening form.
5. Proceed with planning and consultation requirements, per sections 3.2, 4.0, 5.0 and 6.0.

Procedure for Permission to Test Mineral Content (Bulk Samples)

1. Prepare a description of the proposed project, including a reference to Section 52 of the *Mining Act* and the appropriate regulations thereunder.
2. Screen the project according to Section 3.1.1.4. *Bulk samples* are assigned to Category B at a minimum. Screen the project according to the Part 2 screening criteria in Table 6. Consultation with internal and external subject-matter experts may be required to complete the screening objectively and factually.
3. Assign the project to the appropriate category and document the decision using the form provided in Appendix 4.
4. Supervisor or Environmental Assessment Coordinator will confirm or modify category and sign off on the screening form.
5. Proceed with planning and consultation requirements, per sections 3.2, 4.0, 5.0 and 6.0.

Procedure for Discretionary Rehabilitation Activities

1. Prepare a description of the proposed project, including the appropriate section of the *Mining Act*, if applicable.
2. Screen the project according to Section 3.1.1.4. Mine rehabilitation activities are assigned to Category B at a minimum. Screen the project according to the Part 2 screening criteria in Table 6. Consultation with internal and external subject-matter experts may be required to complete the screening objectively and factually.
3. Assign the project to the appropriate category and document the decision using the form provided in Appendix 4.
4. Supervisor or Environmental Assessment Coordinator will confirm or modify category and sign off on the screening form.
5. Proceed with planning and consultation requirements, per sections 3.2, 4.0, 5.0 and 6.0.

APPENDIX 4: SCREENING DOCUMENTATION FORM

Project Name:	Location:
Description:	
Proposed Category: <input type="checkbox"/> Category A* <input type="checkbox"/> Category B <input type="checkbox"/> Category C <input type="checkbox"/> Category D <input type="checkbox"/> Individual Environmental Assessment *no further screening required	
Rationale:	

Screened by:				Date:					
Approved by:				Date:					
Part 2 Screening Criteria	Potential Net Effect							Description of Positive or Negative Effect	Description of Mitigation Measures / Other Comments
	1. Is there an effect?			2. Is the known effect positive or negative?		3. Can the negative effect be mitigated?			
	Yes	No	Unk. ⁸	Pos.	Neg.	Yes	No		
Physical Environment									
Protected areas / Areas of Natural and Scientific Interest (ANSIs) (overlapping or adjacent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Proximate First Nation Reserves or other Aboriginal Communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Noise impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Vibration impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Views / aesthetics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

⁸ Note on screening terminology: "Unk." means "unknown;" "Pos." means "positive;" and "Neg." means "negative."

Additional information / comments:

Biological Environment									
Aquatic species or habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Terrestrial species or habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Endangered species / species at risk or habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Migratory bird species	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Ground water quality / quantity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Surface water quality / quantity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Soils - contaminants, sedimentation, erosion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Wells / drinking water sources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Additional information/comments:

Built / Structural Environment

Infrastructure (roads, power lines, pipelines, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Navigation routes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Seasonal or permanent residences	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Natural or human-made hazards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other projects or activities (overlapping or adjacent)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Additional information / comments:

Social / Economic Environment

Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Built heritage / cultural heritage landscapes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Class Environmental Assessment

Site(s) of Aboriginal cultural significance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Aboriginal interest in project area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Land claims or claims in litigation against Ontario	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Recreational uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Tourism uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Agricultural or forestry uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Industrial uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Local / regional economies or businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Public health and safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Additional information / comments:									

APPENDIX 5: HERITAGE MANAGEMENT PROCESS - DRAFT

1.0 Introduction

The conservation, protection and preservation of *cultural heritage resources* are important to the social, economic and cultural well-being of Ontario communities. Assessment of the impact of proposed activities on *cultural heritage resources* helps to inform the Class EA decision-making process.

Across Ontario many properties of *cultural heritage* value or interest have been identified and protected, but many more are not yet recognized; it is important to identify potential *cultural heritage resources* and address possible effects to them through the Class EA process, as this may be the only means through which it can be done.

Proposed projects may affect a *cultural heritage resource* that has not been formally identified. For example, *cultural heritage resources* may exist at properties that are near a spiritual or sacred use site or in an area that may contain *archaeological resources*. In addition, a proposed project may be located at or near sites with known *cultural heritage resources*, such as an Ontario Heritage Trust easement property or a Canadian Heritage River watershed, or may affect a significant view or *visual setting*.

2.0 Background

The development of the Heritage Management Process – undertaken by MNDM, in consultation with Ministry of Tourism Culture and Sport (MTCS) – began as part of the implementation of a Memorandum of Understanding (MOU) between the two ministries which set out a framework to develop a *cultural heritage value* assessment and evaluation process. The MOU was a condition of two declaration orders – MNDM-3 (discretionary mining land grants) and MNDM-4 (mine hazard rehabilitation projects) – issued to MNDM by the Ministry of the Environment (MOE) pursuant to the *Environmental Assessment Act*. Those declaration orders have been replaced by MNDM's Class EA.

3.0 Purpose of Heritage Management Process

This Heritage Management Process includes evaluation and impact assessment for MNDM's Class EA that provides for:

1. the identification of known or potential cultural heritage resources that may be impaired, damaged or destroyed by proposed projects;
2. the identification of the type and scope of proposed projects which may have an effect on cultural heritage resources;

3. the identification of the interested communities and stakeholders that should be consulted; and
4. the identification of protection and *mitigation measures* to be applied to proposed projects.

4.0 Cultural Heritage Resources

MTCS is responsible for the administration of the *Ontario Heritage Act* and for developing policies and programs for the conservation of the cultural heritage of Ontario.

Cultural heritage resources include:

- Built heritage resources: one or more significant buildings (including fixtures or equipment located in or forming part of a building), structures, earthworks, monuments, installations or remains that have cultural heritage value or interest.
- Cultural heritage landscapes: defined geographical area that human activities have modified and that have Cultural Heritage Value. These resources include one or more groupings of individual heritage features, such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form distinct from that of its constituent parts. Examples include villages, parks, battlefields, cemeteries and industrial complexes.
- Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites.

Two regulations under the Ontario Heritage Act set out the criteria for determining whether a property has *cultural heritage value* or interest: [Ontario Regulation 9/06](#) and [Ontario Regulation 10/06](#) under the *Ontario Heritage Act*. (see Section 10.0 of this process).

If a proposed project may affect a *cultural heritage resource*, appropriate *technical cultural heritage studies* will be completed to address the presence of the *cultural heritage resource(s)* and the impact of the proposed project on the *cultural heritage value* that may be present. These studies will inform the Class EA planning process.

5.0 Project Screening

This section describes the process of screening the site of a proposed project to determine whether there are known and/or potential *cultural heritage resources* that may be affected by a proposed project.

The consideration of whether a proposed project may have an impact on *cultural heritage resources* requires an awareness of what has the potential be a *cultural*

heritage resource and an awareness of known *cultural heritage resources*. Screening the project site will help to identify if any known and/or potential cultural heritage resources exist at the project site or adjacent to the project location.

The initial step in the heritage management process is to determine, through screening, whether a proposed project can proceed without any further assessment, evaluation or consultation. The results of this screening process will be documented on the project file.

The identification of known and/or potential *cultural heritage resources* is determined through the completion of the screening checklists in Schedule A (Screening for Built Heritage Resources and Cultural Heritage Landscapes), Schedule B (Screening for Archaeological Resources for Discretionary Rehabilitation Activities) and Schedule C (Screening for Archaeological Resources for Discretionary Tenure Decisions) of this appendix. The results of those screening checklists will inform the completion of the Part 2 screening criteria (Section 3.1.1.3 and Table 6 of the Class EA).

The results of the Part 2 screening, which includes screening for known and/or potential *cultural heritage resources*, as well as consideration of the anticipated level of public interest (Section 3.1.2 of Class EA), enable MNDM to assign a proposed project to the appropriate category (Section 3.2 of the Class EA). All activities that undergo the Part 2 screening are, at a minimum, assigned to Category B (Section 3.2.2 of Class EA).

For MNDM's discretionary rehabilitation activities, project screening and any initial *technical cultural heritage studies* should be done at the earliest stages of work planning for proposed projects. For discretionary tenure decisions, the screening will be undertaken when an application from a third party (Section 2.4.2 of Class EA) is received.

Defining the boundary of the area of the proposed project is part of the screening process. For discretionary tenure decisions the entire area of the proposed land *disposition* is to be screened. For discretionary rehabilitation activities the immediate area of the *mine hazard(s)*, including all areas to be impacted by rehabilitation, plus an appropriate buffer around the rehabilitation activity, is to be screened. The buffer is determined by MNDM based on the nature of the hazard, the specific rehabilitation measures being considered, and the magnitude of the potential environmental effects.

Any activity – regardless of potential benefits or level of effect – that may affect a known or potential *cultural heritage resource* will require further *technical cultural heritage studies* by qualified persons, as outlined in sections 7.0, 8.0 and 9.0.

If MNDM concludes that a proposed project may affect known (recognized) or potential *cultural heritage resources*, MNDM will document the potential effect in the Part 2 screening criteria form (provided in Appendix 4 of Class EA). For discretionary rehabilitation activities where MNDM has already undertaken

technical cultural heritage studies, the study results will be considered as part of the Class EA decision making process.

As noted above, screening for *cultural heritage resources* comprises three parts:

1. screening for built heritage resources and cultural heritage landscapes;
2. screening for archaeological resources for discretionary rehabilitation activities; and
3. screening for archaeological resources for discretionary tenure decisions.

The screening processes are described below. MNDM will only proceed without further cultural heritage screening and evaluation for a project once MNDM has determined that:

1. there are no known and/or potential cultural heritage resources present; and/or
2. the proposed project will not have an impact on any known/potential cultural heritage resources.

If uncertainty about the presence of *cultural heritage resources* exists after MNDM has completed the checklist, MNDM will consider hiring a *qualified person(s)* (or direct a third party to hire a *qualified person*) to prepare a Cultural Heritage Evaluation Report and/or a Heritage Impact Assessment.

5.1 Screening Checklist for Cultural Heritage Resources (Built Heritage and Cultural Heritage Landscapes)

This screening checklist (Schedule A) is used by MNDM to determine if a proposed discretionary tenure decision or rehabilitation activity may affect a *built heritage resource* and/or *cultural heritage landscape*.

Once the checklist is complete, MNDM will take the steps outlined in Section 5.1.1 to complete the process.

5.1.1 Results of the Screening Process

If MNDM concludes that the proposed project may impact **known (recognized) cultural heritage resources**, MNDM will hire (or will direct a third party to hire) a *qualified person* to prepare a Heritage Impact Assessment Report (see Section 7.1).

If MNDM concludes that the proposed project may impact **potential cultural heritage resources** at the proposed project area, MNDM will hire (or will direct a third party to hire) a *qualified person* to prepare a Cultural Heritage Evaluation Report (see Section 8.0).

For discretionary tenure decisions, if the screening checklist demonstrates that there is potential for *cultural heritage resources* within the boundary of the proposed land disposition, MNDM will provide the third party with the options of:

- modifying the boundary of the proposed land disposition exclude the area deemed to have potential for cultural heritage resources, or
- hiring a qualified person to prepare a Cultural Heritage Evaluation Report (see Section 8.0).

If the Cultural Heritage Evaluation Report confirms the presence of a cultural heritage resource:

- MNDM will modify the boundary of the proposed land disposition to exclude any potential or known cultural heritage resources, or
- MNDM (or a third party) will consider a project redesign to relocate the project or modify components of the project to avoid impacts to known or potential cultural heritage resources. If project redesign is an option, MNDM will reassess the modified project area against the screening checklists.

If MNDM concludes that there is no possibility of the proposed project impacting known or potential *cultural heritage resources*, MNDM will summarize this conclusion and include it in the project file. The summary should include the answers to the relevant questions in the checklist and be supported by documentation such as: a map showing the location and boundary (see Section 5.0) of the proposed project area (as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.), copies of responses received from the appropriate authorities, printouts or screenshots of database query results, and historical source materials.

5.2 Screening Checklists for Archaeological Resources

The screening checklists in schedules B and C are used by MNDM to determine if a proposed project may have an effect on an archaeological resource.

MTCS is responsible for licensing archaeologists who carry out fieldwork in Ontario, including fieldwork that may be required as part of the project review process of a proposed Class EA project. As a condition of their license, archaeologists must comply with the *Standards and Guidelines for Consultant Archaeologists* (2011) established by MTCS.

Once the checklist is complete, MNDM will take the steps outlined in Section 5.2.1 to complete the process.

5.2.1 Results of the Screening Process

If MNDM concludes that the project may impact **known (recognized) or potential archaeological resources**, MNDM will hire (or will direct a third party to hire) a *consultant archaeologist* to conduct an archaeological assessment (see Section 9.0).

For discretionary tenure decisions, if the screening checklists demonstrates that there is potential for *archaeological resources* within the boundary of the proposed land disposition, MNDM will provide the third party with the options of:

- modifying the boundary of the proposed land disposition exclude the area deemed to have potential for archaeological resources, or
- hiring a consultant archaeologist to prepare an archaeological assessment (see Section 9).

If the archaeological assessment confirms the presence of an *archaeological resource*:

- MNDM will modify the boundary of the proposed land disposition to exclude any potential or known archaeological resources, or
- MNDM (or a third party) will consider a project redesign to relocate the project or modify components of the project to avoid impacts to known or potential archaeological resources. If project redesign is an option, MNDM will reassess the modified project area against the screening checklists.

If MNDM concludes that there is no possibility of the proposed project impacting known or potential *archaeological resources*, MNDM will summarize this conclusion and include it in the project file. The summary should include the answers to the relevant questions in the checklist and be supported by documentation such as: a map showing the location and boundary (see Section 5.0) of the proposed project area (as well as other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.), copies of responses received from the appropriate authorities, printouts or screenshots of database query results, and historical source materials.

Under the *Ontario Heritage Act* only a licensed archaeologist can alter an archaeological site. Therefore, should MNDM or a third-party applicant (or consultant/contractor hired by MNDM or a third-party applicant) encounter any *archaeological resources* during project work, all activities resulting in ground disturbance must cease immediately and a *consultant archaeologist* must carry out archaeological fieldwork, in compliance with Section 48. (1) of the Act.

Additionally, in the event that a burial site containing human remains is encountered during project work, the proponent must immediately notify the appropriate authorities (i.e., police, coroner's office, and/or Registrar of

Cemeteries) and comply with all appropriate legislation (i.e., *Cemeteries Act* and *Funeral, Burial and Cremation Services Act*.)

6.0 Alternatives for Cultural Heritage Studies in Remote or Hazardous Areas

Technical cultural heritage studies may be required for areas that are remote and difficult to access and/or pose an elevated health or safety risk.

For areas that are remote and difficult to access, licensed archaeologists should follow the *Standards and Guidelines for Consultant Archaeologists* (especially Section 1.3.4).

Health and safety should always be a paramount consideration when conducting archaeological fieldwork and site inspections. A location where archaeological fieldwork and site inspections are carried out may be subject to health and safety legislation, including the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1. Licensed archaeologists and other *qualified persons* should also be aware that some former or current mining lands may pose an elevated health risk due to possible contamination from chemicals and metals and/or unstable underground workings. Work should be conducted in accordance with all applicable statutes and regulations governing health and safety.

7.0 Cultural Heritage Resource Evaluation

The purpose of the *cultural heritage resource* evaluation is to determine if a site is of *cultural heritage value* or interest.

If MNDM concludes, after filling out the screening checklist for Built Heritage and Cultural Heritage Landscapes (Section 5.1 and Schedule A), that the project may impact potential *cultural heritage resources*, MNDM will hire (or direct a third party or partner to hire) a *qualified person* to undertake a cultural heritage resource evaluation which will consist of the following objectives and expectations:

1. preparation of a description of the site.
 - define the boundary of the proposed project (see Section 5.0).
2. research and recording of information about the site sufficient to determine and substantiate its cultural heritage value, if any.
 - conduct a site visit, if possible, and photographically document any building(s) on the property(ies) as well as its setting (landscape);
 - conduct primary and secondary historical research to determine the property's association with significant themes, if any, at the provincial and local levels;

- identify the architect and builder for the building(s) and their significance in their fields;
 - confirm the date(s) of construction, define the architectural style for the building(s) and identify other examples of this style both at the local and provincial levels;
 - identify the construction technology used for the building(s), noting any methods or materials that are significant at the local and provincial levels;
 - locate and reproduce significant historical drawings and photographs of property(ies) and building(s) through research at local and provincial institutions;
 - identify properties that have *cultural heritage value*
3. determine *cultural heritage value* or interest, including potential provincial significance, based on the advice of qualified persons and with appropriate community input. Apply the “Criteria for Determining Cultural Heritage Value or Interest” set out in Ontario Regulation 9/06 under the Ontario Heritage Act to determine the cultural heritage value or interest of a property; and apply the “Criteria for determining Cultural Heritage Value of Provincial Significance” set out in Ontario Regulation 10/06 to determine whether a property is of provincial significance.⁹
4. consultation with affected communities and stakeholders to assist in determining the Cultural Heritage Value of the Site
- engage groups and individuals with associations to a property by providing them with opportunities to participate in understanding and describing the property’s cultural heritage value (see Section 11.0).
5. preparation of a “Statement of Cultural Heritage Value” and a description of *heritage attributes*
- if a property is found to have *cultural heritage value*, the qualified person should prepare a statement explaining the *cultural heritage value* or interest of the property, similar to what would be required

⁹ MNDM and MTCS will work together to develop a mutually agreeable evaluation methodology for determining *cultural heritage value*.

when a property is designated under Section 29 of the *Ontario Heritage Act*. The “Statement of Cultural Heritage Value or Interest” prepared by the *qualified person* should identify clearly the physical features or *heritage attributes* that contribute to, or support, the *cultural heritage value* or interest. If the property is found not to have *cultural heritage value* or interest, the *qualified person* will write a summary statement that provides the conclusions of the evaluation.

6. preparation of a Cultural Heritage Evaluation Report describing the above components
 - document the identification process with a written account of the research and the evaluation.
 - write a Cultural Heritage Evaluation Report (See Schedule D for a table of contents)

If the *qualified person* concludes that no built resources and/or landscapes of *cultural heritage value* or interest are present, the cultural heritage evaluation work for the report is complete. There should be a clear rationale and recommendation made in the report specifying that no further assessment or evaluation is required.

If the *qualified person* concludes that built resources and/or landscapes of *cultural heritage value* or interest are present, MNDM will hire, or will direct a third-party applicant to hire, a *qualified person* to undertake a Heritage Impact Assessment report (see to Section 8.2).

Any historical research should be provided to the consultant archaeologist for the purposes of the archaeological assessment, if one is to be undertaken.

The Cultural Heritage Evaluation Report will be shared with MTCS and made available to the public upon request.

8.0 Heritage Impact Assessment

If the Cultural Heritage Evaluation Report (Section 7.0) identifies *cultural heritage resources* on the site of a proposed project, MNDM will hire (or will direct a third-party applicant to hire) a *qualified person* to prepare a Heritage Impact Assessment Report to determine the direct and indirect impact of the proposed project on any identified *cultural heritage resources*, and to determine protection or *mitigation measures* to reduce or avoid impacts on affected *cultural heritage resources*.

8.1 Impacts

For the purposes of this process, an impact, either direct or indirect, is a change in an identified *cultural heritage resource*, over a specified time and within a

defined area, resulting from a particular activity compared with the situation which would have occurred had the activity not been initiated.

An example of a direct impact would be a mine rehabilitation project involving construction work within the same footprint of a *built heritage resource* which would result in the demolition of the built heritage resource.

An example of an indirect impact would be construction of a structure on an abandoned mine site that alters the view of a heritage property from a key vantage point.

In order to make predictions about impacts, assumptions may also have to be made about natural change over time. In order to assess the impact of a proposed project on a *cultural heritage landscape* involving a pond, for example, it may be necessary also to analyze natural changes in the rate of sedimentation in the system over the study period. In contrast, a description of the present state may suffice if the proposed development was situated on a stable-rock coastline.

Examples of direct adverse impacts include:

- destruction or removal of any, or part of any, *heritage attributes*;
- change in use for a heritage building or cultural heritage landscape which could eventually result in permanent, irreversible damage, e.g., converting a dry goods manufacturing facility to a greenhouse operation;
- continuation and/or intensification of use without the conservation of *heritage attributes*;
- vibration damages to a structure due to construction or activities on adjacent land;
- alteration, (i.e., change of any kind) including restoration, renovation, repair or disturbance, of a building, structure or landscape in a manner that is not sympathetic (i.e., not physically and/or visually compatible) its *heritage attributes*, historical fabric or *visual setting*, for example:
 - changing the character of the property's *heritage attributes* through the removal or planting of trees or vegetation where they did not exist;
 - introducing visual, atmospheric or audible elements that diminish the integrity of the property's *heritage attributes*;
- neglecting to *undertake* actions to prevent the natural deterioration of a property, except where natural deterioration and are recognized attributes, such as in a property of spiritual or cultural

significance to an Aboriginal community, or a ruin of *cultural heritage value*.

Examples of indirect adverse impacts include:

- shadows that alter the appearance of a *heritage attribute* or change the visibility of a natural feature;
- isolation of a *heritage attribute* from its surrounding environment or context;
- land disturbance, such as a change in grade that alters historic patterns of topography or drainage; and
- obstruction of significant views or vistas from, within, or to a built heritage resource or a cultural heritage landscape.

Examples of direct positive impacts include:

- any changes that are consistent with Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* (2003) and MTCS' *Heritage Conservation Principles for Land Use Planning*;
- Respectful repair or restoration of *heritage attributes* (i.e., repair that returns a *cultural heritage resource* to its prior condition, based on historic evidence and in a manner that does not alter its integrity);
- alteration of heritage resources to fit new uses or circumstances while retaining their *heritage attributes*; and
- public interpretation and commemoration of *cultural heritage value*.

MNDM will make best efforts to conserve identified *cultural heritage resources* that may be impacted by a proposed project. "Conserved" means that the identification, protection, use and/or management of cultural heritage resources (including archaeological resources) are undertaken in such a way that their cultural heritage value, attributes, and integrity are retained.

8.2 Heritage Impact Assessment Report

A Heritage Impact Assessment Report prepared by a *qualified person* will refer to and be consistent with appropriate principles, standards and guidelines for heritage conservation. The report should explain how a proposed project might affect a *cultural heritage resource* and how its cultural heritage value or interest will be conserved or enhanced by the proposed project. This may involve stabilization and repair work, restoration, interpretation, reconstruction or redevelopment for a new use (adaptive reuse).

Where a proposed project could result in a negative, irreversible impact to a *cultural heritage resource*, the report should explain why the proposed course of action is the only viable solution and why other *alternatives* that do not involve negative impact are not viable. In addition, the report should describe proposed *mitigation measures* and provide evidence as to why they should be adequate. The specific negative impacts should be listed, with statements made under each as to why they cannot be avoided, and what steps have been planned to mitigate their effects.

A heritage impact assessment will consist of the following activities and expectations:

- examination of the positive or negative impacts the proposed project on the *heritage attributes* of the property and appropriate measure(s), if any, to mitigate the expected impacts;
- review of existing documentation, including but not limited to: background reports about the property and heritage evaluations;
- a site visit;
- consultation and engagement with affected communities and stakeholders, including groups and individuals with associations to the property
- documentation of the activities, research and conclusions in a Heritage Impact Assessment report (see Schedule E for a table of contents)

A copy of the Heritage Impact Assessment Report will be provided to MTCS for its review. MNDM will consult with MTCS prior to any work or *mitigation measures* being undertaken at a proposed site. A copy of the report will be made available to the public upon request.

9.0 Archaeological Assessment

If known or potential *archaeological resources* are identified by project screening, an archaeological assessment is required based on consideration of whether the proposed project may have an impact on *archaeological resources*.

In Ontario, archaeological fieldwork must be carried out only by archaeologists licensed by MTCS. MNDM will retain (or direct a third-party or partner to retain) a *consultant archaeologist* to conduct an archaeological assessment. All reports must be in compliance with the *Standards and Guidelines for Consultant Archaeologists* (2011) and the terms and conditions of the archaeological licence.

The *consultant archaeologist* must submit the archaeological assessment report to MTCS for review.

Reports are submitted by the *consultant archaeologist* to MTCS; information on where to send reports is available at MTCS' website.

If MTCS is not satisfied with the information contained in the report, a review letter(s) may be sent to the consultant archaeologist requesting further assessment and/or revisions to the report.

When MTCS is satisfied that the fieldwork and report is consistent with the *Standards and Guidelines for Consultant Archaeologists*, the *consultant archaeologist* will receive a letter informing them that the report will be entered into the Ontario Public Register of Archaeological Reports. MNDM and the third-party applicant or partner, if appropriate, will be copied on that letter.

Information about the stages of archaeological assessments can be found at: http://www.mtc.gov.on.ca/en/archaeology/archaeology_assessments.shtml. Information about MTCS' *Standards and Guidelines for Consultant Archaeologists* can be found at: http://www.mtc.gov.on.ca/en/archaeology/archaeology_s_g.shtml.

10.0 Provincially Significant Cultural Heritage Resources

If a site or part of a site contains *cultural heritage resources* of provincial significance under Ontario Regulation 10/06, before approving any discretionary tenure, MNDM will formally notify MTCS. MTCS may recommend that the site or the relevant part thereof not be subject of a discretionary tenure decision by MNDM.

If it is determined that a site or part of a site subject to a discretionary rehabilitation activity contains *cultural heritage resources* of provincial significance under Ontario Regulation 10/06, MNDM will formally notify MTCS may recommend to MNDM that the discretionary rehabilitation activities be modified.

11.0 Public and Aboriginal Engagement

Understanding *cultural heritage value* is based in two key aspects: respect for the cultural context of a heritage resource and respect for the communities that may have an interest in conserving it, or those that already appreciate and care for it.

For this reason, an integral aspect of MNDM's Class EA process involves the effective and meaningful involvement of *interested persons* and communities (including Aboriginal communities) as well as local government and other ministries and agencies.

To ensure that there is adequate engagement on cultural heritage matters, Sections 5.0 and 6.0 of the Class EA, which describes MNDM's consultation requirements and obligations for proposed projects, will be supplemented and enhanced with the requirements described here.

MNDM will engage groups, individuals and Aboriginal communities with associations to known or potential *cultural heritage resources* by providing them with opportunities to participate in understanding and articulating its *cultural heritage value* and in making decisions about its future.

Qualified persons working for MNDM in this area should not only bring technical skills, knowledge and understanding of identifying, evaluating and conserving cultural heritage resources, but also sensitivity to identifying and engaging communities of interest, to capture the range of knowledge required. Qualified persons may need to meet and have meaningful exchanges with cultural heritage stakeholders in developing their conclusions and recommendations. For many MNDM projects, such as those in the traditional territory of Aboriginal peoples, this implies understanding the worldviews and belief systems of Aboriginal communities as well as the worldviews derived from the Western tradition.

Archaeological sites and other *cultural heritage resources* are often of critical importance to Aboriginal communities. Aboriginal communities may have information about heritage sites that are of special interest to their community.

Efforts to interview heritage stakeholders and Aboriginal communities and the information gathered in the interviews should be documented in the heritage impact assessment report.

Identifying heritage stakeholders may mean looking beyond the immediate vicinity of the proposed activity. While it's possible that local communities will have groups, organizations or recognized individuals that have an interest in the local heritage, it is also possible that a community of interest exists that is spread out over a larger area, or even outside the province. Before preparing a Cultural Heritage Evaluation Report, MNDM will identify and engage the appropriate organizations, individuals and communities with an interest in cultural heritage resources, such as:

- local Municipal Heritage Committees;
- historical societies;
- museums;
- local chapters of the Architectural Conservancy of Ontario;
- “Friends of” groups and societies; and
- individuals that have an interest in the known or potential heritage resource.

MNDM will invite individuals and groups such as these to be appropriately involved in research and to participate in the formal evaluation of cultural heritage value or interest of sites that will be impacted by MNDM's activities or decisions. MTCS can assist and advise MNDM on the identification and involvement of stakeholders.

If the presence of a *cultural heritage resource* has been confirmed by MNDM, the *conservation plan* should include provisions for future involvement with *interested persons*.

12.0 Mitigation

As described in Section 4.6 of the Class EA, mitigation is the process of avoiding, eliminating, offsetting or reducing to an acceptable level the potential effects of a project. It can include restoration or enhancement where feasible. Potential negative effects will be identified early in the Class EA screening and planning process in order to develop specific *mitigation measures*, if possible.

Below are some examples of *mitigation measures* that may be applied to reduce or avoid impacts to *cultural heritage resources*:

- the property meets the evaluation criteria under O.Reg. 9/06 or O.Reg. 10/06 of the *Ontario Heritage Act* and is added to the list of provincial heritage properties;
- alternative construction, development or rehabilitation approaches, including isolating development and site alteration from the *cultural heritage resource* using separation distances as determined through the impact evaluation;
- sympathetic alteration that respects the *heritage attributes* of the cultural heritage resource;
- alterations or new construction that is reversible, physically and visually compatible with the existing *cultural heritage resource*, and identifiable upon inspection as a new intervention;
- separation distances or compatible visual barriers specified to avoid or reduce visual impact to the identified heritage resource;
- facade retention and/or salvage of *heritage attributes*;
- move and/or relocate a built heritage resource, where its location is not identified as a *heritage attribute*;
- detailed documentation and measured drawings of a heritage resource prior to its alteration or destruction; and
- interpretation and commemoration e.g., plaque, published guide.

13.0 Monitoring

As described in sections 4.6 and 7.1.1 of the Class EA, there are two types of monitoring: effects monitoring and compliance monitoring.

Effects monitoring is a component of an overall heritage impact assessment and may be described in a *conservation plan* for known *cultural heritage resources*. Monitoring programs may be required over a long period of time.

In the monitoring section of the *conservation plan*, the proponent must either state specifically that a monitoring program is unnecessary and give reasons for this, or must propose a monitoring program and document it as part of the implementation of the conservation plan. The proponent should:

- define the objectives of the monitoring program;
- identify which parameters will be monitored during the operational stages of the project;
- outline the schedule of monitoring and reporting;
- describe the data collection methodology;
- describe the approach to analysis and evaluation; and
- describe the format, content of and specific responsibility for documenting the results of the monitoring program.

14.0 Review and Amendment of Heritage Management Process

The Heritage Management Process will be reviewed and amended in accordance with sections 7.2 and 7.3 of the Class EA.

MTCS may recommend amendments to the Heritage Management Process based on:

- experience and feedback from its stakeholders on MNDM's application of the Class EA and the Heritage Management Process; and
- its experience and expertise in the area of best practices in the conservation, protection and preservation of the heritage of Ontario.

Schedule A: Screening Checklist for Cultural Heritage Resources (Built Heritage and Cultural Heritage Landscapes)

Project Name:

Project Location:

This checklist is to be used for discretionary tenure decisions and discretionary rehabilitation activities

Have the following information ready when making requests for information on recognized *cultural heritage resources*:

- a map showing the location and boundary (see Section 5.0) of the project area, and other relevant details, including existing *mine hazards*, nearby communities, structures, natural features (e.g., water bodies), sensitive features, etc.;
- the municipal addresses of all properties within the project area when contacting the Ontario Heritage Trust or a municipal clerk; and/or
- the lot(s), concession(s), and parcel number(s) of all properties within the project area when contacting the local land registry office.

The following questions apply to the entire project area.

Answer each question in succession and follow the instructions. Continue until all questions are answered or a definitive conclusion is reached.

Screening Questions	YES	NO
Part A: Screening for Potential Impacts		
1. Is the proposed undertaking consistent with an approved conservation plan, if one exists?	<input type="checkbox"/>	<input type="checkbox"/>
If you answered YES , it is not necessary to complete the remaining questions in the checklist. The conservation plan should inform the proponent about conservation and mitigation recommendations, if any.		
For discretionary rehabilitation activities, if you answered NO , continue to question 2. For discretionary tenure decisions, proceed to Part B: Screening for Recognized Cultural Heritage.		

Screening Questions	YES	NO
Will the proposed project result in any of the following potential direct or indirect impacts to the study area or an adjacent property:		
2. Alteration (which means a change in any manner and includes destruction, removal, relocation restoration, renovation, repair, or isolation) of a feature or an adjacent resource, i.e., a building or structure, or a feature of a structure, landscape or setting?	<input type="checkbox"/>	<input type="checkbox"/>
<p>3. New direct or indirect obstruction of views or vistas from, within, or to a built or natural feature?</p> <p>For example: the introduction of physical, visual, aesthetic or atmospheric elements that are not in keeping with the character and setting of the existing environment.</p> <p>Depending on the answers to Part B, the answer to this question may need to be revisited.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>If you answered YES to any of the above questions, continue to Part B: Screening for Recognized Cultural Heritage Value.</p> <p>If you answered NO to all of the questions, then there is low potential for impacts to built heritage or cultural heritage landscapes. It is not necessary to complete the remaining questions in the checklist. The proponent will summarize this conclusion and add this checklist to the project file, with appropriate documentation demonstrating that no impacts will take place. The summary and appropriate documentation will be maintained by the project proponent.</p>		
<p>Part B: Screening for Recognized Cultural Heritage Value</p> <p>Does the study area contain a parcel of land that:</p>		
<p>4. has been evaluated before and found not to be of cultural heritage value?</p> <p>Check with MNDM, MNR and/or MTCS staff.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>If you answered YES, it is not necessary to complete the remaining questions in the checklist. The proponent will summarize this conclusion and add it to this checklist to the project file, with appropriate documentation demonstrating that a cultural heritage evaluation was undertaken. The summary and appropriate documentation will be maintained by the project proponent.</p>		
<p>If you answered NO, continue to Question 7.</p> <p>Does the study area contain a parcel of land that:</p>		

Screening Questions	YES	NO
<p>5. is subject of a covenant or agreement between the owner of the property and a conservation body or level of government registered on title and executed with the primary purpose of preserving, conserving, and maintaining a cultural heritage resource, or preventing its destruction, demolition or loss?</p> <p>Where information can be obtained: Ontario Heritage Trust, Municipal Clerk, the local land registry office (title search)</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>6. is listed on a register or inventory of heritage properties maintained by the municipality?</p> <p>Check with the Municipal Clerk, Heritage Planning staff, or the Municipal Heritage Committee to determine if the bridge or a parcel of land within the study area is listed on a municipal register.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>7. is designated under Part IV of the Ontario Heritage Act?</p> <p>Where information can be obtained: Municipal Clerk, Ontario Heritage Trust and Local Land Registry Office (title search)</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>8. is subject to a notice of intention to designate issued by a municipality?</p> <p>Where information can be obtained: Municipal Clerk and Ontario Heritage Trust</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>9. is located within a designated Heritage Conservation District?</p> <p>Where information can be obtained: Municipal Clerk and Ontario Heritage Trust</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>10. is subject to a Heritage Conservation District study area bylaw?</p> <p>Where information can be obtained: Municipal Clerk</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>11. is included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties?</p> <p>Where information can be obtained: Heritage Advisor, Ministry of Tourism, Culture and Sport</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>12. is part of a National Historic Site?</p> <p>For more information on National Historic Sites: www.pc.gc.ca/apps/lhn-nhs/index_e.asp</p>	<input type="checkbox"/>	<input type="checkbox"/>

Screening Questions	YES	NO
<p>13. is part of a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?</p> <p>A UNESCO World Heritage Site is a place listed by UNESCO as having outstanding universal value to humanity. In order to retain the status of World Heritage Site, each site must maintain its character defining features. For more information on World Heritage Sites in Canada: www.pc.gc.ca/eng/progs/spm-whs.aspx</p> <p>Currently, the Rideau Canal is the only World Heritage Site in Ontario.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>14. is designated under the Heritage Railway Station Protection Act?</p> <p>For a directory of designated heritage railway stations: http://www.pc.gc.ca/clmhc-hsmbc/heritage/listegares-liststations.aspx</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>15. is identified as a Federal Heritage Building by the Federal Heritage Buildings Review Office (FHBRO)?</p> <p>For more information: http://www.pc.gc.ca/progs/beefp-fhbro/index_e.asp</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>16. is the subject of a municipal, provincial or federal commemorative or interpretive plaque?</p> <p>Heritage resources are often recognized with formal plaques or markers. Plaques are erected by municipalities, provincial or federal ministries or agencies, or by local non-government or non-profit organizations through commemorative and interpretive plaque programs.</p> <p>The Municipal Heritage Committee may be a source of information on the location of plaques in their community. Local heritage organizations may also have information on plaques they erected. For information on what local heritage organizations exist in the community, contact the Ontario Historical Society: www.ontariohistoricalsociety.ca</p> <p>The Ontario Heritage Trust (OHT) erects plaques to commemorate Ontario's history. For more information about OHT plaques: www.heritagetrust.on.ca/Resources-and-Learning/Online-Plaque-Guide.aspx</p> <p>The National Historic Sites and Monuments Board erect plaques to commemorate Canada's history. For more information: www.pc.gc.ca/apps/lhn-nhs/index_e.asp</p>	<input type="checkbox"/>	<input type="checkbox"/>

Screening Questions	YES	NO
If you answered YES to any of the above questions, a heritage impact assessment is required (see Section 8.0).		
If you answered NO to all the questions, continue to Part C of this checklist.		
Part C: Screening for Potential Cultural Heritage Value Does the study area contains a parcel of land that:		
<p>20. is on or adjacent to a known burial site and/or cemetery?</p> <p>The presence of a cemetery can be confirmed through a site visit. Additionally, information on registered cemeteries may be obtained from the Registrar of Cemeteries, Ministry of Consumer Services. The Cemeteries Regulation Unit maintains a database of registered cemeteries:</p> <p>http://www.consumerbeware.mgs.gov.on.ca/eseach/cemeterySearch.do?eformsId=0</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>21. is in a Canadian Heritage River watershed?</p> <p>The Canadian Heritage River System is a national river conservation program. It promotes, protects and enhances the best examples of Canada's river heritage. Canadian Heritage Rivers must have, and maintain, outstanding natural, cultural, and/or recreational values, and a high level of public support. For more information:</p> <p>www.chrs.ca/Main_e.htm</p> <p>Questions regarding the boundaries of a watershed should be directed to the applicable Conservation Authority or municipal staff.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>21. contains structures over forty years old?</p> <p>(e.g., residential structures, farm buildings and outbuildings, industrial, commercial, or institutional buildings, and/or engineering works).</p> <p>The land registry office can provide information on the recent history of a property. Historical source materials can also be helpful in determining the age of structures; these include: directories, photographs, historical atlases, fire insurance maps, and business records.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>22. the Ministry of Tourism, Culture and Sport has identified as a property with potential cultural heritage value?</p> <p>Contact the Heritage Advisor, MTCS. Attach response from MTCS.</p>	<input type="checkbox"/>	<input type="checkbox"/>

Screening Questions	YES	NO
Part D: Other Considerations		
Is there local knowledge or accessible documentation suggesting that the study area is situated on a parcel of land that:		
23. is considered a landmark in the local community or contains any structures or sites that are important to defining the character of the area? For example: existing cultural heritage landscape inventories	<input type="checkbox"/>	<input type="checkbox"/>
24. has special association with a community, person, or historical event? For example: Aboriginal sacred site, traditional-use areas, battlefield, birthplace of an individual of importance to the community, etc	<input type="checkbox"/>	<input type="checkbox"/>
25. contains any landscape features that may have cultural heritage value to the community? For example: Aboriginal trail, park, designed garden, historic road or rail corridor, fence or boundary marker, etc	<input type="checkbox"/>	<input type="checkbox"/>
If YES to one or more of the above questions (Part C and D), there is potential for impacts to cultural heritage resources in the proposed project area. A Cultural Heritage Evaluation Report is required (see Section 7.0).		
If NO to all of the above questions, there is low potential for impacts to cultural heritage resources in the study area.		
The checklist and any supporting documentation demonstrating how the proponent arrived to this conclusion will be summarized in a document as part of the EA process. The summary and appropriate documentation will be maintained by the project proponent.		

If MNDM concludes that a Cultural Heritage Evaluation Report and/or a Heritage Impact Assessment are not necessary the summary should include all applicable documentation mentioned in the checklist. If uncertainty remains after completing the checklist, MNDM will consider hiring a *qualified person* to prepare a Cultural Heritage Evaluation Report. Conducting full assessments that include appropriate recommendations ensures that *cultural heritage resources* are identified, evaluated and protected, and also reduces any potential delays and other risks to the project.

Schedule B – Screening Checklist for Archaeological Resources for Discretionary Rehabilitation Activities

Project Name:

Project Location:

The following questions apply to the entire project area including temporary storage or work areas as well as temporary roads/detours. See Section 5.0 to define the boundary.

Answer each question in succession and follow the instructions. Continue until all questions are answered or a definitive conclusion is reached.

Screening Question	YES	NO
<p>1. Has an archaeological assessment been prepared for this proposed project area and been accepted by MTCS?</p> <p>Where information can be obtained: MNDM files, third-party applicant, or MTCS.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>If you answered YES, an archaeological assessment is NOT required. Proponents should follow the recommendations from the report(s). It is not necessary to complete the remaining questions in the checklist. MNDM will summarize this conclusion and add this checklist to the project file, with the appropriate documentation (e.g., MTCS acceptance of archaeological assessment report). The summary and appropriate documentation will be maintained by the project proponent.</p>		
<p>If you answered NO, continue to question 2. Documentation to support an answer of YES is not required.</p>		
<p>2. Are there known archaeological sites within 300m of the proposed project?</p> <p>Where information can be obtained: The Ministry of Tourism, Culture and Sport maintains a database of known archaeological sites in Ontario. Contact the Archaeological Data Coordinator for information about archaeological sites at archaeologicalsites@ontario.ca</p> <p>When requesting information regarding archaeological sites included in records by MTCS, both large scale mapping showing the project area boundaries and small scale mapping showing nearby township names for context purposes should accompany the request.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>If you answered YES, an archaeological assessment is required (follow process outlined in Section 10.0); it is not necessary to complete the remaining questions in the checklist.</p>		

Screening Question	YES	NO
If you answered NO , continue to question 3. MTCS response to Question 2 should be used as documentation.		
<p>3. Will the proposed project, decision or activity result in significant ground disturbance?</p> <p>Significant ground disturbance means to interfere with or alter the existing condition of the ground, whether is above or below water, through human actions that have potential to affect cultural heritage resources, and includes, but not limited to, altering the existing grade of land, compacting, excavating, or removing topsoil, power spraying, dredging, placing or dumping fill, removing vegetation, allowing heavy vehicle traffic, trenching (e.g. for services, etc.), drainage ditch construction, trail construction, scarification and soil mechanics studies, but does not include normal, regular farming practices such as ploughing and tilling.</p>	<input type="checkbox"/>	<input type="checkbox"/>
If you answered YES , continue to question 2. Documentation to support an answer of YES is not required.		
If you answered NO , an archaeological assessment is NOT required and it is not necessary to fill out the remainder of the checklist. The proponent will summarize this conclusion and document as part of the EA process. Appropriate documentation demonstrating that no ground disturbance will take place. The summary and all documentation will be added to the project file.		
<p>4. Have all areas to be impacted by ground disturbing activities been subjected to recent (i.e. post 1960) extensive and intensive disturbances and to depths greater than the depths of the proposed activities?</p> <p>(For example, all areas have been subject to post-1960 construction, road construction, shoreline stabilization/channelization)?</p>	<input type="checkbox"/>	<input type="checkbox"/>
If you answered YES to the preceding question, an archaeological assessment is NOT required. The checklist and any supporting documentation demonstrating that no activities will go deeper than past ground disturbances or will occur in previously undisturbed lands is to be included in the summary.		
If you answered NO , there is potential for archaeological resources at the study areas and an archaeological assessment is required.		

If MNDM concludes that an archaeological assessment is not necessary, the summary should include all applicable documentation mentioned in the checklist. If uncertainty remains after completing the checklist, MNDM will consider hiring a *consultant archaeologist* to conduct a Stage 1 archaeological assessment.

Conducting full assessments that include appropriate recommendations ensures that *cultural heritage resources* are identified, evaluated and protected, and also reduces any potential delays and other risks to the project.

**Schedule C – Screening Checklist for Archaeological Resources
for Discretionary Tenure Decisions**

Project Name:

Project Location:

MNDM is continuing to work with MTCS on finalizing this checklist.

Schedule D – Cultural Heritage Evaluation Report Table of Contents

1. Executive Summary

- This section is the summary of the evaluation. It describes the arguments for or against its identification as a provincial heritage property and any discussions on its level of significance.

2. Introduction

- This section will set out the context for the report and provide a brief overview of how and why the research was undertaken and who was engaged and or consulted in the process.

3. Description of the Property

- This section will provide an overview of the location of the property and a description of its type: i.e.: a farm, a mine site, a transportation route, park, etc. along with a description of the primary features, buildings and/or structures on the property. The description will also include any current heritage recognitions and whether the property is considered a single property, district or part thereof, or a landscape.

4. Historical Research

- This section will describe what type of research was undertaken for the above described property and why. It will record the findings of the research in a logical and chronological order. It will evaluate the properties integrity and cross-reference any archaeological reports or identify any archaeological potential. This section will identify in detail the findings and summarize those findings in reference to the themes

5. Maps, Drawings, Plans and Images

- This section will provide a copy of the pertinent maps, images, drawings and plans, accurately marked up or described, to assist with understanding the general history, chronological construction and/or alterations to the size, features or primary use of the property and its associated buildings or features.

6. Community Engagement

- This section will outline what, when and how community engagement was undertaken as part of the research methodology for the property. It will also outline the process used to determine

the outcomes of the community engagement exercise(s) and describe the results.

7. Evaluation

- This section will describe how the criteria, O. Reg. 09/06 and O. Reg. 10/06 (Ontario Heritage Act), were applied to determine the property's cultural heritage value and level of significance, if any. It will cross reference the historical data that reflects each criterion, present a rationale supporting why each criterion was met or not met, and list the attributes that support or contribute to the property's cultural heritage value or interest, if any. It will also provide a rationale to justify the identified level of significance.

8. Conclusions

- The conclusion will summarize whether the information and evaluation against the criteria was sufficient to determine cultural heritage value and a level of significance for the property.

9. Statement of Cultural Heritage Value and *Heritage Attributes*

- This section, when required, will describe the cultural heritage value of the property and identify its level of significance. It will describe the *heritage attributes* that support the cultural heritage value and need to be conserved in order to protect the significance of the property.

10. Summary of Resources/ Sources cited.

- This section will list what resources and sources were used to complete the report. A list of the personnel involved in preparing the report indicating their qualifications and their role preparing the report, in the field or in the research.

11. Record of Approval

- This section will contain a form to be completed by the Approval Authority. It will indicate the completion and acceptance of the Cultural Heritage Evaluation Report.

12. Appendices

- This section of the report will contain the support documentation for the property and the documents used to create the report content (see below).

13. APPENDIX A: Documents used or referenced in this report, etc.

14. APPENDIX B: Other online reference materials

Schedule E – Heritage Impact Assessment Report Table of Contents

The Heritage Impact Assessment Report will include the following components:

1. historical research, site analysis and evaluation
 - this section will contain an explanation of the methodology and the conclusions regarding the significance and *heritage attributes* of the cultural heritage resource. It can be completed by reviewing existing documentation such as background reports about the property and heritage evaluations
2. identification of *heritage attributes* and significance of the site
 - this section will provide the statement of *cultural heritage value* and a description of the *heritage attributes*.
3. description of the proposed project, including proposed alterations to the site
 - this section will provide the purpose and rationale for the proposed project and, if applicable, the proposed works and graphical layout, and how the development or site alteration fits with the objectives of the municipality or approval authority.
 - this section will also include a detailed description of the proposed project including the sequence of construction events and description of facilities, both temporary and permanent, if applicable, and how the project will or may affect the cultural heritage resource(s) and any abutting heritage/protected properties.
 - it will also include a detailed plan of the proposed project including all construction of new structures and site alteration-related activities, and its context in relation to *built heritage resources* and/or *cultural heritage landscapes* within the site. Graphic illustrations such as photomontages, visualizations and visual modelling to further illustrate the relationship between the proposed project and cultural heritage resources should be included. The plan may also be accompanied by a written description.
4. measurement of potential impacts
 - this section will describe any impact (direct or indirect, physical or aesthetic) of the proposed project on a *cultural heritage resource*. The effectiveness of any proposed conservation or mitigative measures must be evaluated on the basis of established principles, standards and guidelines for heritage conservation.

- the possible findings for this section are: no impact, no negative impact, or negative impact. The determination of impact must be described, including the effect, the findings, and the rationale for the determination (see section 8.1 Impacts).
5. consideration of potential *alternatives*, mitigation and conservation options.
- this section will provide a full range of conservation *alternatives* or options and impact mitigation options, in relation to direct and indirect impacts. Where an impact on a *cultural heritage resource* is identified, and the proposed conservation or *mitigation measures*, including avoidance, are considered ineffective, other conservation or *mitigation measures*, or alternative development or site alteration approaches must be recommended.
6. proposed implementation and monitoring schedules.
- this section will provide a schedule and reporting structure for implementing the recommended conservation or mitigative or avoidance measures, and, if necessary, monitoring the *cultural heritage resource* as the development or site alteration progresses.
7. summary statement and conservation plan recommendations. This section will provide a description of:
- the significance and *heritage attributes* of the cultural heritage resource;
 - the identification of any impact that the proposed development will have on the cultural heritage resource;
 - an explanation of what conservation or mitigative measures, or alternative development or site alteration approaches are recommended to minimize or avoid any impact on the cultural heritage resource, and, if applicable;
8. clarification of why some conservation or mitigative measures, or alternative development or site alteration approaches are not appropriate.

APPENDIX 6: TEMPLATES

1. Notice of Opportunity to Provide Input on a Category B or C Project
2. Notice of Completion for a Category C Project
3. Statement of Completion for a Category B Project
4. Statement of Completion for a Category C or D Project
5. Notice of Commencement for a Category D Project
6. Notice of Opportunity to Provide Input on the Draft Environmental Study Report
7. Notice of Completion of Final Environmental Study Report
8. Notice of Filing an Addendum on a Category B Project
9. Revised Notice of Completion on a Category C or D Project (Addendum)
10. Notice of Intention to Proceed with a Category B Project after Five Years
11. Notice of Intention to Proceed with a Category C or D Project after Five Years

Category B or C Notice Template

Notice of Opportunity to Provide Input on a Category <B or C Project >

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: <project name>

The Ministry of Northern Development and Mines (MNDM) invites you to comment on its **OR <applicant's name>**'s proposal to **<summarize project; include reference map >**.

This proposed Category **<B or C>** project is being carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<For Category C projects describe consultation opportunities, open houses, etc., if appropriate.>

The project documentation for this proposed project is available at **< insert viewing location and web site for Category C projects, if appropriate >**.

You are invited to provide input and express any concerns about this proposed project. Comments must be received by **<30 calendar days>**. For more information, or to submit comments on the project, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category C Notice of Completion Template

Notice of Completion for a Category C Project

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) has completed its assessment of its **OR <applicant's name>**'s proposal to **<summarize project; include reference map>**.

The Category C screening, consultation and planning was carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<Describe any potential negative environmental effects and the associated mitigation measures>.

<Describe consultation opportunities, open houses, etc., if appropriate.>

The project documentation for this proposed project is available at **< insert viewing location and web site, if appropriate>**.

You are invited to bring any new information or concerns to MNDM by **<30 calendar days>**. For any concerns that cannot be resolved in discussion with MNDM, *interested persons* may submit a Part II Order request (see Section 7.5 Part II Order Process of MNDM's Class EA) to the Minister of the Environment requesting that the project be made subject to the individual environmental assessment requirements of the *Environmental Assessment Act*. Requests must be received by the Minister of the Environment by **<date>**, with a copy to MNDM.

To receive additional information, inspect the project file or submit new concerns regarding the project, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

After **<date>**, if MNDM is satisfied that there are no outstanding concerns, the project will be implemented as planned without additional notice.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental

Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category B Statement of Completion Template

Statement of Completion for a Category B Project

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) has completed its assessment on its **OR <applicant's name>**'s proposal to **<summarize project; include reference map>**.

The Category B screening, consultation and project review was carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<Describe comments received and how they were addressed; describe potential negative environmental effects and the associated mitigation measures>.

MNDM will implement the project as planned.

Approved by:

Name, position (department/section manager)	Date (DD/MM/YYYY)
Department/section	
Address	
Phone number, fax number, email address	

Copies to:

- Project File
- Class EA web page
- Environmental Assessment Coordinator, Strategic Support Unit, Ministry of Northern Development and Mines
- Regional Director, Regional Office, Ministry of the Environment
- Regional Area Supervisor, Regional Office, Ministry of the Environment
- Director, Environmental Approvals Branch, Ministry of the Environment

Category C or D Statement of Completion Template

Statement of Completion for a Category <C, or D> Project

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: <project name>

The Ministry of Northern Development and Mines (MNDM) has completed its assessment on its **OR <applicant's name>**'s proposal to **<summarize project; include reference map>**.

The Category **<C or D>** screening, consultation and project review was carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<Describe comments received and how they were addressed; describe potential negative environmental effects and the associated mitigation measures>.

A Notice of Completion was issued on **<date>**. The review period ended on **<date>**.

<Indicate if any Part II Order requests were received and if they were withdrawn, denied, etc>.

MNDM will implement the project as planned.

Approved by:

Name, position (department/section manager)	Date (DD/MM/YYYY)
Department/section	
Address	
Phone number, fax number, email address	

Copies to:

- Project File
- Class EA web page
- Environmental Assessment Coordinator, Strategic Support Unit, Ministry of Northern Development and Mines
- Regional Director, Regional Office, Ministry of the Environment
- Regional Area Supervisor, Regional Office, Ministry of the Environment
- Director, Environmental Approvals Branch, Ministry of the Environment

Category D Notice of Commencement Template

Notice of Commencement

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) invites you to participate in its proposal to **<summarize project>**.

<Insert map>

The proposed Category D project is being carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<Describe consultation opportunities, open houses, etc.>

You are invited to provide input and express any concerns about this proposed project. To be added to the project mailing list and/or receive additional information or to share information on the project, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

The consultation plan for this proposed Category D project is available for review at **<insert web site>**.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category D Notice (Draft Environment Study Report) Template

Notice of Opportunity to Provide Input on the Draft Environmental Study Report

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) invites you to review and comment on the Draft Environmental Study report for its proposal to **<summarize project; state purpose of Draft Environmental Study Report>**.

<Insert map>

The Category D Draft Environmental Study Report is being carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<Describe consultation opportunities, open houses, etc.>

The project documentation for this proposed project is available at **< insert viewing location and web site, if appropriate>**.

You are invited to provide input and express any concerns about this proposed project. Comments must be received by **<30 calendar days>**. To receive additional information or a copy of the Draft Environmental Study Report, or to submit comments on the project, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category D Notice (Final Environment Study Report) Template

Notice of Completion of Final Environmental Study Report

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) has completed its assessment of its proposal to **<summarize project>**. A Final Environmental Study Report has been developed in order to **<purpose of Final Environmental Study Report>**.

<Insert map>

The Category D Final Environmental Study Report was carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

<Describe any potential negative environmental effects, the associated mitigation measures and alternatives considered>.

<Describe consultation opportunities, open houses, etc.>

The project documentation for this proposed project is available at **< insert viewing location and web site >**.

You are invited to bring any new information or concerns to MNDM by **<30 calendar days>**. For any concerns that cannot be resolved in discussion with MNDM, *interested persons* may submit a Part II Order request (see Section 7.5 Part II Order Process of MNDM's Class EA) to the Minister of the Environment requesting that the project be made subject to the individual environmental assessment requirements of the *Environmental Assessment Act*. Requests must be received by the Minister of the Environment by **<date>**, with a copy to MNDM.

To receive additional information or a copy of the Final Environmental Study Report, or to submit new concerns regarding the project, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

After **<date>**, if MNDM is satisfied that there are no outstanding concerns, the project will be implemented as planned without additional notice.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected

by the MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category B Notice of Filing an Addendum Template

Notice of Filing an Addendum on a Category B Project

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) completed its environmental assessment on its **OR <applicant's name>**'s proposal to **<summarize project; include reference map if appropriate>** on **< date of filing Statement of Completion>**.

<Describe rationale for change/delay.>

MNDM has determined that there are no changes to any potential negative environmental effects, level of public or agency concern, and no new potential negative or unknown environmental effects, **<Add additional details as necessary.>**

Comments must be received by **<30 calendar days>**. To receive additional information, inspect the project file, or submit comments, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

After **<date>**, if MNDM is satisfied that there are no outstanding concerns, the project will be implemented as planned without additional notice.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category C or D Revised Notice of Completion Template (Addendum)

Revised Notice of Completion for a Category <C or D > Project

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) completed its assessment of its **OR <applicant's name>**'s proposal to **<summarize project; include reference map>** on **<date of filing Statement of Completion>**.

<Describe rationale for change>

MNDM has determined that there are no changes to any potential negative environmental effects, level of public or agency concern, and no new potential negative or unknown environmental effects, **<Add additional details as necessary.>**

The project documentation for this proposed project is available at **< insert viewing location and web site, if appropriate>**.

You are invited to provide input and express any concerns about this proposed project. Comments must be received by **<30 calendar days>**. To receive additional information, inspect the project file **OR** a copy of the revised Final Environmental Study Report, or submit comments, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

For any concerns that cannot be resolved in discussion with MNDM, *interested persons* may submit a Part II Order request (see Section 7.5 Part II Order Process of MNDM's Class EA) to the Minister of the Environment requesting that the project be made subject to the individual environmental assessment requirements of the *Environmental Assessment Act*. Requests must be received by the Minister of the Environment by **<date>**, with a copy to MNDM.

After **<date>**, if MNDM is satisfied that there are no outstanding concerns, the project will be implemented as planned without additional notice.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and

disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category B Notice of Intention to Proceed with Project Template

Notice of Intention to Proceed with a Category B Project after 5 Years

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: **<project name>**

The Ministry of Northern Development and Mines (MNDM) completed its assessment of its **OR <applicant's name>**'s proposal to **<summarize project; include reference map>** on **<date of filing Statement of Completion>**.

The Category B screening, consultation and project review was carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

MNDM's Class EA requires that a new notice be issued if more than five years have passed since the completion of the assessment. MNDM **OR <applicant's name>** intends to proceed with the project **<state rationale for proceeding>**.

MNDM has determined that there are no changes to any potential negative environmental effects, level of public or agency concern, and no new potential negative or unknown environmental effects, **<Add additional details as necessary.>**

You are invited to provide input and express any concerns about this proposed project. Comments must be received by **<30 calendar days>**. To receive additional information, inspect the project file, or submit comments, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

After **<date>**, if MNDM is satisfied that there are no outstanding concerns, the project will be implemented as planned without additional notice.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

Category C or D Notice of Intention to Proceed with Project Template

Notice of Intention to Proceed with a Category <C or D > Project after 5 Years

Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act

RE: <project name>

The Ministry of Northern Development and Mines (MNDM) completed its assessment on its **OR <applicant's name>**'s proposal to **<summarize project; include reference map>** on **<date of release of Notice of Completion or date of filing Statement of Completion>**.

The Category **<C or D>** screening, consultation and project review was carried out in accordance with the *Class Environmental Assessment for MNDM's Activities under the Mining Act* (Class EA).

MNDM's Class EA requires that a new notice be issued if more than five years have passed since the completion of the assessment. MNDM **OR <applicant's name>** intends to proceed with the project **<state rationale for proceeding>**. The environmental effects of the project are unchanged.

The project documentation for this proposed project is available at **< insert viewing location and web site >**.

You are invited to provide input and express any concerns about this proposed project. Comments must be received by **<30 calendar days>**. To receive additional information, inspect the project file **OR** a copy of the Final Environmental Study Report, or submit comments, please contact:

Name, position, department/section

Address

Phone number, fax number, email address

For any concerns that cannot be resolved in discussion with MNDM, *interested persons* may submit a Part II Order request (see Section 7.5 Part II Order Process of MNDM's Class EA) to the Minister of the Environment requesting that the project be made subject to the individual environmental assessment requirements of the *Environmental Assessment Act*. Requests must be received by the Minister of the Environment by **<date>**, with a copy to MNDM.

After **<date>**, if MNDM is satisfied that there are no outstanding concerns, the project will be implemented as planned without additional notice.

Please note that personal information provided in a submission (such as name, address, and telephone number) and your views and opinions are being collected

by MNDM under the authority of the *Environmental Assessment Act* for the purpose of engaging in public consultation and making decisions regarding the project. The personal information may also be shared with the Environmental Approvals Branch of the Ministry of the Environment. The collection, use, and disclosure of this information are all governed by the *Freedom of Information and Protection of Privacy Act*. Questions about the collection of this information should be directed to: **<name, title, department/section, phone number, email address>**.

APPENDIX 7: RECORD OF CONSULTATION TEMPLATE

The Class EA consultation process (Section 5.0 of the Class EA) for a proposed project will be documented in a Record of Consultation. A separate Record of Consultation will be required for Aboriginal consultation (Section 6.0 of the Class EA).

This appendix is a template for the components that will be included in the Record of Consultation.

1.0 PROJECT DESCRIPTION

Provide a description of the purpose / rationale of a proposed project (see Section 4.2.1.1 for Category C projects and Section 4.3.1.1 for Category D projects).and other relevant details.

2.0 CONSULTATION PLAN

If a consultation plan was prepared for the project, describe the details of the consultation plan and include it as an appendix to the Record of Consultation.

3.0 INTERESTED PERSONS or ABORIGINAL COMMUNITIES

Provide a description of the appropriate Aboriginal communities or government ministries and agencies, members of the public, and other interested groups or individuals that were identified by MNDM at the beginning of the Class EA planning process and how they were identified (Table 1).

Table 1: Interested Persons or Aboriginal Communities

Type	List	Rationale for inclusion
Federal, Provincial, and Municipal government	<i>Names of ministries and agencies</i>	<i>E.g., scope / details / location of project requires input</i>
Aboriginal community or organization		
Interested persons and organizations		
Non-Governmental		

Organizations		
Other		

4.0 CONSULTATION AND ENGAGEMENT ACTIVITIES

Provide a description of all notification, consultation and engagement activities, including, but not limited to, the categories described below.

4.1 Delegation of Engagement and Consultation Activities

Provide a description of all notification, consultation, and engagement activities that were delegated by MNDM to a third party or partner.

4.2 Notices

Provide a description of the notices that were prepared for the project. Copies of the notices, letters, advertisements, etc., should be added to the appendices of the consultation record. Describe how notices were shared or distributed, e.g., Information Notice on the Environmental Registry, direct mailing to community members, etc., advertisements in local newspapers (Table 2), posting on MNDM Class EA website, list of viewing locations, etc.

Table 2: Newspaper Advertisements

Newspaper / Magazine / Other Publication	Language	Notice	Issue Date
<i>Publication name</i>	<i>English, French, and/or other language</i>	<i>E.g., Notice of Commencement for a Category D project</i>	<i>DD/MM/YYYY</i>

4.3 Meetings

Provide a details of any meetings (Table 3) that were held, and details of any follow-up conversations or activities. Include any meeting minutes or notes in an appendix, if appropriate.

Table 3: Meetings

Name	Location / Method of Communication	Date	Comments
<i>E.g., Aboriginal community, government ministry or agency, company, organization, interested person(s), etc.</i>	<i>E.g., meeting location, teleconference, follow-up conversation, etc.</i>	<i>DD/MM/YYYY</i>	<i>E.g., attendees, concerns raised, follow-up required, etc.</i>

5.0 COMMENT SUMMARY TABLE

Provide a description of the comments received in correspondence from Aboriginal communities, government ministries and agencies, and other interested groups or individuals (Table 4). The description will include MNDM's (or the third party or partner's) response to the comments and how concerns were addressed.

Commenter	Summary of Comments	MNDM's / Third Party's (name) / Partner's (name) Response	Status
<i>Name of commenter</i>	<i>Comments</i>	<i>Response to comment, and how it was addressed, if appropriate.</i>	<i>For projects by a third party or partner, MNDM will indicate if they are satisfied or not with the response in column three.</i>

6.0 APPENDICES

Include the following information and documents as appendices, as well as other relevant information:

- Consultation plan, if prepared;

- Letters, notices, newspaper advertisements, etc.;
- Meeting minutes or notes, if appropriate;
- Written comments received; and
- Other relevant information.

APPENDIX 8: EMERGENCY INCIDENT REPORT FORM

Project Name:	Location:
Description:	
Actions Taken:	
Future remediation or monitoring required:	
Prepared by:	Date:
Approved by:	Date: