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Sharifa Wyndham-Nguyen  
Client Services and Permissions Branch  
Ministry of the Environment, Conservation and Parks  
135 St Clair Ave West, 1<sup>st</sup> Floor  
Toronto, ON M4V 1P5

Re: ERO-019-2377 Proposed Project List for comprehensive environmental assessment under the Environmental Assessment Act

Vale Canada Limited (Vale) is global leader in base metals mining and processing and has a long history of mining in Canada, with more than 100 years of experience in Ontario as well as operations in Manitoba and Newfoundland and Labrador. Vale operates the largest integrated base metal mining and processing facilities in the country, and with our breadth of operations, both across space and time, we appreciate the regulatory landscape in which mining operates and fully support the modernization of Ontario's Environmental Assessment Act. We further appreciate the engagement that we have received from the Ministry of Environment, Conservation and Parks (MECP) on the amendments in place, as well as the proposed changes moving forward.

Vale specifically recognizes the efforts to focus assessment on projects with the greatest potential for environmental impacts and to work towards streamlined processes through a project list approach and reduction of duplication. To this end, consideration of the inclusion of mineral development projects to a Comprehensive Environmental Assessment (EA) Project List is an important discussion point and one we feel should be framed against both potential for environmental impacts and existing oversight to these potential effects. At this time, and without further rationale to these criteria, we do not feel that addition of mineral development projects to a Project List is warranted.

Mining activities in Ontario are subject to complex environmental permitting and approval processes, as well as legislative requirements. And the industry also has the unique opportunity to operate under the Mining Act – a regulatory framework that assesses environmental (as well as social, health and safety) effects not only at a single point in time, as is the case with EAs, but throughout the life of a mine. Through the closure planning process and facilitations made by the Ministry of Energy, Northern Development and Mines (ENDM) as our life-cycle regulator, early and ongoing engagement with other federal and provincial regulators, as well as with the public and Indigenous communities, is carried out through time in response to both routine updates made to Closure Plans and updates made in response to changing conditions. And within this process, site-specific assessment of environmental interactions at a mine occurs in a stepwise and comprehensive manner from the time of mine planning to the close out of the facility.

In addition to regulation under the Mining Act, potential environmental effects from mineral development are assessed through individual permitting and regulatory instruments at the federal and provincial levels. While these instruments may each assess only some of the environmental interactions of a project, when viewed as a sum, they are intended to capture the project- or mine-specific interactions and assess

potential effects that may arise from those interactions. Not every mineral development project will present the same interfaces with the environment and potential for effects, so we view and appreciate the permitting landscape in Ontario as one that is set up to regulate our sector and the effects that are uniquely applicable to each mine.

In deciding then whether or not to include mineral development projects to a Project List, Vale requests that the MECP first consider what are the potential environmental effects of mining and then review how these are currently being managed. Should there be gaps in oversight identified, it is only at this juncture that we feel there should be discussion of addition of mining to the Comprehensive EA Project List – and such an addition should then be closely scoped to the significant un-supported effects, with clear and defensible rationale for inclusion. From this place, Vale would welcome the opportunity to comment further and continue dialogue on how gaps in environmental protections and oversight might best be situated within the Act, in a coordinated and streamlined manner taking into account other regulatory instruments, including but not limited to substitution with the Impact Assessment Act.

Vale values regulatory certainty and appreciates diligent oversight that maintains environmental protections while avoiding duplication. We further appreciate the opportunity to comment on this discussion paper and look forward to ongoing dialogue on regulatory changes under the Act.

Regards,



Allison Merla