



December 17th, 2021

RE: Millbrook First Nation's Feedback Regarding the Beaver Dam Mine Information Requests

To whom it may concern,

The information below was compiled through in-person community engagement with the eastern shore reserves and Chief and Council, as well as online engagement with the broader community.

We trust that the "Focused Question Responses" and "Wellness Study Analysis" will address any outstanding issues regarding the impacts onto the nearest Indigenous communities.

In peace and friendship,

Gerald D. Gloade-Raining Bird
Consultation Coordinator, Millbrook First Nation

Enclosed: (1) "MFN - Beaver Dam IRs - Dec172021.docx"
(2) "Beaver Dam Wellness Analysis.docx"

Millbrook First Nation Focused Questions:

Beaver Dam Mine Project Environmental Assessment

1. Has Atlantic Mining NS Inc. (AMNS) done an adequate job of considering how the project will impact your community?

AMNS has dedicated a lot of time preparing the EIS and addressing the information requests. We have been consulting quite heavily on the Beaver Dam mine file for the last 5 years. We feel that more effort has been put into trying to satisfy project conditions, rather than trying to satisfy the concerns of Millbrook band members. When presented with the Traditional Land and Resource Use Study (TLRUS) AMNS took the information and proposed a number of mitigations.

1) Alternative Harvesting Areas: AMNS suggested 5 alternative harvesting areas, several were quite far from where band members are accustomed to harvesting. Areas that will require further travel, additional expenses (fuel, childcare, etc.) and require planning; taking away the spontaneity that many harvesters enjoy. Every harvester we met with said that it was unreasonable to expect all harvesters to go hunt somewhere else. Harvesting in unfamiliar territory will take time to find the best harvesting locations. They also talked about how the company appropriated homeowners near the Touquoy mine site. Since you cannot purchase reserve lands and expropriate band members, this is the "next best thing" with respects to dealing with the local population. The lands have been enjoyed for generations and the company has not provided any evidence that the bounty of resources will continue to be fruitful in the presence of the sensory impacts (noise, light, traffic, seismic, etc.). We are not convinced that the wild game that will be dispersed, as a result of project operations, will return immediately after the site has been reclaimed. Furthermore, residents raised concerns about the estimated 5-year project life being extended through pit expansion applications. Touquoy mine's recent pit expansion was cited as justification for this concern. What is being described as a 5-year project may end up being more, in turn lengthening the duration of experience impacts for Millbrook band members. Millbrook had also requested a socio-economic assessment that looks at impacts to the local residents from a food security perspective. This concern was not addressed, so we completed a food cost analysis in the wellness study that quantifies the cost of replacing wild game with store-bought alternatives, while also considering that many of the residents are on social assistance. Some of the "alternative harvesting areas" were actually current areas of land and resource use (the sites nearest Beaver Dam I.R.). They were not deemed to be acceptable replacement, per se, as they are in fact areas of current use. It seems like a simple solution to suggest that an entire community harvest elsewhere, away from a proposed project site, but the company has not addressed our underlying concerns.

2) Haul Road Access: AMNS acknowledged that our band members rely on the existing road infrastructure to harvest and recreationally enjoy the lands. To minimize the likelihood of interactions and collisions between Millbrook land users and company vehicles, a system of parallel haul roads was proposed. As the beneficiaries of the Treaties and as the stewards of the land of Mi'kma'ki, band members felt that adding another system of roads would only add to the project impacts and encourage further destruction of the environment. Especially the clear cutting

that would be required to construct the roads. Additional road systems would also cause further habitat loss for wild game and would make the reclamation process take even longer. The community did not support this mitigation for these reasons.

3) Water Quality: AMNS has not sufficiently addressed how they could preserve and/or improve the water quality in the project area – in-home and externally. The EIS makes it clear that the mining will likely have adverse impacts on ground water and surface water, but we have yet to see a solution that ensures the preservation of water quality. The company has, however, said that Millbrook could be involved in the ongoing water monitoring, if the project is approved. Millbrook sees this offer as largely aesthetic and nothing more. The wellness study we provided shows that in-home water quality, for the last 15 years, has been mostly acceptable in the eastern shore reserves. This is due to the 2 water treatment systems that Millbrook has installed in band homes – UV and salt-based water softeners. The study also shows that the systems have their limitations when not properly maintained. Evidenced by two buildings in Sheet Harbour (1 home, 1 community building) showing unsatisfactory levels of arsenic in the tap water (tested in Nov, 2020). Given the work being done by the Salmon Association (liming the waters) and Millbrook First Nation (combating poor tap water quality), the Beaver Dam mine risks undoing much of the hard work to preserve and improve water quality along the West River. Touquoy has been charged with 32 provincial charges, several having to do with affects to water, which does not instill any faith with the plans outlined in the EIS regarding water quality. Our concerns have not been sufficiently addressed.

4) Human Health Effects: AMNS has not addressed our concerns regarding potential affects to human health. We know that respiratory, ear infections and skin related conditions are common in areas with poor water and air quality and Indigenous people living on reserve in Canada struggle with these conditions.¹ The wellness study discusses how residential proximity to pollution generating sites and environmentally contaminated sites exacerbate health issues among marginalized groups. Human health effects must be investigated thoroughly, especially when you consider the short and long-term health effects associated with interacting with contaminated water.

2. Are there any other issues you would like to see addressed in the Environmental Impact Statement?

- Human health effects (mental health and physical health);
- Improving emergency response time in the local project area;
- Wildlife dispersion modelling;
- Socio-economic analysis that addresses our concerns above;
- An evaluation and inventory of wild game and resources in the alternative harvesting areas;

¹ Union of Nova Scotia Indians. (2017). "2015–16 First Nations Regional Health Survey: Version 2.0."

- How do we address food security for local harvesters, if the alternative areas are not bountiful, or if the areas are too inconvenient? What is the solution for replacing traditional foods;
- Plans to preserve or improve the water quality (ground water, surface water and in-home water quality) in the local project area. Acknowledging that it will likely worsen and committing to monitoring the quality is not enough;
- How can we preserve traditional ways of knowing, when our lands are no longer available, or are accessible under certain conditions; and
- How will the development of parallel haul roads impact the reclamation process.

3. In the response to Information Requirement CEAA 2-48 in the Round 2 Information Requirement Responses provided by AMNS in October 2021, AMNS provided a summary of key mitigation measures relating to project effects on the Mi'kmaq of Nova Scotia (Table CEAA-2-48-1 and additional measures and commitments listed on page 600). Are the proposed mitigation measures sufficient? Will the proposed measures do enough to address the project's negative impacts? Are there other options for avoiding, minimizing, mitigating and accommodating environmental effects?

The land that will be lost, according to the company's environmental effects map, includes a lot of Crown lands near Beaver Dam I.R. This is where our band members access land for harvesting. It is important to consider that Millbrook First Nation has a total of 4 reserve land bases – Millbrook (Truro), Sheet Harbour, Cole Harbour and Beaver Dam. Beaver Dam is the only reserve land base that has densely forested areas and clean waters. The wellness study sheds light on the pollution generating sites that are near each of the reserve land bases; Beaver Dam having the fewest. The pristine environment makes it desirable, not only for local harvesters, but for band members living in the other 3 reserves, who also rely on Beaver Dam I.R. for harvesting purposes. Millbrook wants to continue harvesting unincumbered in these Crown lands because of their proximity to the reserve, the bounty of resources, the pristine nature of the environment and the fact that suitable Crown land is limited. Finding a suitable replacement that includes all of these traits will be challenging.

AMNS recommended the development of a community working group (CWG). This would be challenging given the fact that Millbrook Chief and Council and the community all oppose the project. A working group would require a will to see the project through to fruition and that will is not there.

Cultural awareness training would be appropriate, not just for the project at hand, but for the company as a whole, for all additional mine sites (present and future).

Baseline water quality for in-home water is provided in the wellness study. We would welcome the opportunity to review existing baseline ground and surface water quality before the project is approved. We would also appreciate the opportunity to be present when samples are drawn.

The bypass roads proposed to facilitate harvesting access are problematic in that, the sensory impacts from the mine (sound, light, vibrations from trucks and blasting, etc.) will drive away wildlife and we do not support the additional clear cutting of bypass roads (as noted above). Environmental effects should be kept to a minimum and we cannot support the development of bypass roads with the intent to satisfy our harvesting needs.

The reclamation of bypass roads is appreciated, however we do not support their construction, as it adds to the overall footprint of the mine and total environmental effects area. It also adds to the amount of time that the site will require to be restored to its previous state.

Human health risk assessments should take into consideration effects to both physical and mental health. As noted in the wellness study, indigenous groups experience ecological grief when faced with loss of territory. This in turn causes resentment toward the project at hand and the Proponent. The assessment should also consider the effects associated with loss of land access, like decline in physical activity and the effects of replacing traditional foods (which tend to be fresh and lean) with cost effective store-bought alternatives. Be sure to include potential affects to respiratory health, dermatological health and the health impacts associated with poor water quality.

4. Responses section 2-48 & 2-49

Community Report Findings

Excerpt: *"Areas 1 and 2 proposed by AMNS were deemed "acceptable" (Community Report) in the event that the Beaver Dam Mine Project is approved. MFN is already harvesting in these areas (regular to occasional use)."*

Response: This is mostly accurate. The section reads, *"Areas 1 and 2 were deemed "acceptable" alternatives, in the event that the Beaver Dam mine is approved. Most band members said that they are already harvesting in that area on a regular to occasional basis. There were suspicions about the wildlife and environmental impacts being limited to the boundaries identified in Figure 3. Concerns were raised about wildlife being dispersed and plant life being affected by dust (those closest to the haul roads and in open/less densely forested areas) by the project activities, in turn making areas 1, 2 and 3 less desirable."* "Acceptable" is in quotations, because it was not really an alternative harvesting area, since harvesters were already using the area. It should also be noted that the locations were deemed acceptable given their proximity to the reserve. It was not a commitment or an agreement to harvest in these locations, but a statement that we already use these lands. AMNS's response is also missing the added context toward the end, that areas 1, 2 and 3 will be rendered useless because the sensory impacts of the project will drive away wild game.

Excerpt: *"MFN community members like to harvest in their backyards and prefer access by foot, rather than driving."*

Response: Correct, however context is missing. The areas near and around the reserve are preferred because of their proximity and because harvesters can spontaneously harvest in their backyards; no planning required. They can essentially take what they want when they want. Alternative areas 3-5 would require further travel and planning, taking away spontaneity.

Excerpt: *"The main purposes of exercising their rights and harvesting traditional foods is to avoid issues of food insecurity. Access to meat and protein is a concern as funds are limited in many households and the price of meat at local grocers are inflated in nearby communities."*

Response: Correct. More information contained in the wellness study regarding food security, the cost of replacement and the challenges with fixed incomes.

AMNS Response

Excerpt: *"AMNS commits to maintaining Areas 1 and 2 to support traditional practices, and facilitation of improved access if/as required."*

Response: This assumes that they resources will continue wo be plentiful in the presence of sensory impacts.

Excerpt: *"AMNS is committed to working with MFN to identify additional suitable areas for traditional practice and to develop a mechanism to mitigate travel concerns by means of compensation and benefits (page, 612)."*

Response: Chief and Council has taken the stance that they oppose the project and will not discuss compensation and benefits while impacts are being assessed.