



PETER BALLANTYNE CREE NATION

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September 16, 2021

Stephen McCarthy

Federal Consultation Coordinator for
Alamos Gold Inc. Lynn Lake Gold Project
Prairie and Northern Region
Impact Assessment Agency of Canada
Email: Stephen.McCarthy@canada.ca

Sent via Email

RE: Peter Ballantyne Cree Nation Review of the Round 1, Package 3 Information Request Responses for the Alamos Gold Inc. Lynn Lake Gold Mine Project

Dear Mr. McCarthy,

We write to provide Peter Ballantyne Cree Nation's ("PBCN") comments on the Alamos Gold Inc. ("Alamos") Lynn Lake Project (the "Project") Round 1, Package 3 Information Request ("IR") responses, which relate to the Project's Environmental Impact Statement ("EIS") and were submitted by Alamos on August 5, 2021.

PBCN has a number of significant ongoing concerns with these IR responses as they relate to the EIS. These concerns are categorized into the following themes, which we will address in turn: (1) a lack of PBCN traditional land use data; (2) aggregated information on Indigenous rights and interests; (3) engagement and capacity funding; (4) mitigation and monitoring; and (5) biophysical assessment concerns. These themes can be used in furthering discussion with the Impact Assessment Agency of Canada ("IAAC") on potential impacts to PBCN's interests.

1. PBCN Traditional Land Use Data

PBCN's overarching concern with this entire environmental assessment process is the lack of data gathered and presented by Alamos about potential impacts of the Project on PBCN rights and interests. Without this information, there are significant gaps and deficiencies that persist in the EIS and these responses. Alamos' IR Round 1 Package 3 responses particularly highlight this deficiency.

As indicated in Alamos' response to this package and explained in PBCN's previous IR reviews, the PBCN traditional land and resource use study ("TLRU") has yet to be provided in this environmental review process. As the IAAC is aware, a PBCN TLRU was completed by Alamos' consultant but PBCN has since identified that the TLRU, in its current form, is both insufficient and incomplete in documenting PBCN rights, interests, and concerns with the Project.

In the context of IR Round 1 Package 3, the result is that the available Traditional Knowledge and current use information is entirely insufficient in defining residual effects criteria and in concluding the significance of impact on PBCN rights and interests (see, for example, IR #184, #187). It is our view that without a sufficient and complete TLRU, and meaningful PBCN data collection by Alamos, the EIS and Alamos' IR responses cannot properly reflect and assess the impacts of this Project on PBCN's rights and interests.

Absent Alamos' efforts in this respect, PBCN expects that the IAAC will engage and consult with PBCN to understand the Nation's systems for self-governance, management of traditional land and resources, and customs and laws that may be affected by the Project. The IAAC must also ensure that it obtains PBCN input on how the Project may contribute to impacts to PBCN cultural well-being in relation to identified value components and how these impacts might be mitigated. Such engagement by the IAAC can help to ensure that the IAAC is apprised of some aspects of PBCN's rights in order to make a significance of impact determination in the environmental assessment report for this Project (see, for example, in IR #161, #163, #169).

However, we wish to emphasize that such engagement and consultation by the IAAC will only mitigate, not compensate, for a lack of engagement and due diligence by Alamos.

2. Aggregated Information on Indigenous Rights and Interests

A particular theme of Alamos' responses for Round 1 Package 3 is the aggregation of Indigenous interests and information. Alamos' responses repeatedly provide aggregated information purporting to represent a number of Indigenous groups contrary to IAAC's requests that Alamos provide specific information for each of the affected Indigenous group.

For example, in IR #151 the IAAC requests that Alamos provide information on "plants species of importance to each Indigenous group" and IR #199, where the IAAC asks that Alamos "[i]dentify and describe how information from each Indigenous Group was and will be integrated into the assessment..." The clear implication of the IAAC's requests of this nature are that Alamos include disaggregated information that is reflective of each Indigenous nation. Yet, throughout the IR Round 1 Package 3 responses very little disaggregated information was provided and the information that was provided is not representative of PBCN's interests (see, for example, IR #203).

Together, Alamos' narrow scoping of the EIS on indigenous rights and interests along with this aggregating approach to IR responses render the EIS largely presumptive and lacking meaningful detail – particularly with respect to PBCN's rights given the current lack of TLRU

data. For example, in IR #202 Alamos indicates that, “the vegetation and wetlands assessment itself does not assess or predict effects on other valued components” and points to Volume 2 Chapter 17 of the EIS for assessment of Project effects. However, this Volume takes a limited view and does not explore aspects related to vegetation which may be important to PBCN such as the potential avoidance of vegetation species due to negative perceptions.

As Alamos admits in IR #188, effects on rights and interests are difficult for an external party to quantitatively assess, much less mitigate. Yet, no information was solicited from PBCN in relation to intangible values and in assessing potential Project effects. Alamos did not ask for this information from PBCN and therefore it was not shared. PBCN lacks internal capacity, and cannot be expected, to understand the needs of Alamos or its consultants in the development of its EIS or IR responses (in this respect we note IR #188 and #194). The lack of specific, disaggregated information advanced by Alamos cannot be accepted as demonstrating that the information does not exist or that there are no concerns from PBCN that may be different from other Indigenous groups.

3. Engagement and Capacity Funding

Throughout this response Alamos frequently commits to future engagement throughout its responses, including in IR #155, #156, #159, #170, #173, #182, #183, #193, #197, #199, and #204. However, such a commitment will be almost entirely performative and one-sided unless sufficient and ongoing capacity funding can be provided for PBCN’s involvement in such engagement. Moreover, commitments to future-facing engagement cannot make up for a lack of engagement with PBCN in the development of the EIS.

As we have indicated in past correspondence, PBCN has not received capacity funding from Alamos, and Alamos did not seek any other capacity-funded input from PBCN in the development of the EIS beyond the TLRU. For example, at no point did Alamos indicate to PBCN that its input could be provided on the spatial or temporal boundaries for vegetation and wetlands (IR #146). Involvement by PBCN on such issues could have been facilitated all along via sufficient capacity funding. This alternative is demonstrated by the more fulsome responses and information related to the Marcel Colomb First Nation, Mathias Colomb First Nation and the Manitoba Métis Federation. It is PBCN’s understanding that these Indigenous groups have received capacity funding from Alamos and cannot understand why such funding has not been provided to PBCN, despite repeated requests.

In contrast, we note, none of the specific information that was requested by the IAAC relating to PBCN’s valued components was provided by Alamos to satisfy IRs #199, #201, #202. Meaningful engagement and capacity funding could have ensured that such information gaps are filled. For example, IR #152 states that “[i]nformation on key habitats for plants of importance to Indigenous Nations (e.g., areas of higher abundance important for the maintenance of the species) is not available for the Boreal Shield Ecozone in which the RAA is located, or Manitoba.” Information on key habitats is traditional ecological knowledge that is

held by PBCN members. If Alamos had identified that this information was required, and provided sufficient capacity for engagement on these issues, PBCN could have provided relevant key habitat information for plants of importance to PBCN for the purposes of the EIS.

PBCN has been identified by the IAAC as a directly-affected Indigenous nation and yet engagement with PBCN by Alamos was cursory, at best. Alamos' passive engagement with PBCN was extremely limited in the development of the EIS, and Alamos failed to make requests for collaboration on socio-economic conditions of its PBCN communities. Such engagement, without both collaboration to determine what information may be missing from the EIS, and sufficient capacity for the Nation to collect and provide this information, indicates a lack of understanding on the part of the proponent of the nature of Indigenous rights altogether (see IR #171).

Instead, Alamos has proceeded without meaningful engagement. Species used in the baseline case for chemicals of potential concern for traditionally harvested plants and animals were not verified with PBCN and confirmation of fish harvesting percentages and locations was not undertaken with PBCN. None of this information was provided by PBCN because Alamos did not ask for it, did not provided capacity to collect it, and did not engage with PBCN on this issue (see IR #176 and #177).

Other notable areas of this response where PBCN was not engaged to provide information or was not provided with capacity funding to do so include:

- PBCN's inability to comment on the April 21 and April 22, 2021 conceptual monitoring and management plans was not due to a lack of interest in the topic, but directly related to the lack of capacity funding provided (see IR #155, #156, #159, #170, #173, #191, #193);
- Reclamation seed mixes or live stakes outside the local assessment area are reflective of species of importance to PBCN has yet to be developed through engagement (see IR #152, #155, #159); and
- A comprehensive list of wildlife species that fall under the definition of 'species of importance' for PBCN has yet to be developed. PBCN would be happy to review the table IAAC-160-1 and ensure that the species are reflective of species of importance to PBCN, should sufficient capacity funding be provided by Alamos to undertake this exercise (see IR #160).

4. Mitigation and Monitoring

The issue of capacity funding is also critical in the consideration of ongoing monitoring and follow-up after potential project approval. Mitigation was not developed with any input from PBCN (see IR #153, #165, #186). Alamos did not receive additional information or mitigation

measures from Indigenous nations regarding criteria to assess Indigenous socio-economic conditions, involvement in the regional economy, access to employment and other economic opportunities, socio-economic vulnerabilities, well-being related to health conditions, information on social services and infrastructure, or mitigation measures regarding heritage and cultural resources. This information was not included because Alamos did not ask for it, did not provide capacity to collect it, and did not engage with PBCN or, it appears, other nations on these issues (see IR #171, #186).

Nonetheless, as a potentially affected Indigenous nation, PBCN expects to have ongoing input into the design and implementation of Project follow-up and a monitoring program to ensure mitigation commitments are met. We also expect fair and equitable capacity for PBCN's ongoing participation in those matters. Similarly, as we have indicated in previous reviews of these IR responses, PBCN requires input into the communication method selected for ongoing information distribution by Alamos and a mechanism to ensure this method is flexible and adapts to PBCN's changing needs going forward.

5. Biophysical Components

Finally, as with Alamos' Package 2 responses, there are a number of IRs related to biophysical components that in our view are not adequately responded to. In particular, PBCN requests clarification with respect to Alamos' responses on the following IRs:

- Please confirm the justification for why the pathways of interaction between the tailings management facility and wetland function were deselected (see IR #150);
- Please clarify whether the sensory disturbance referred to in relation to habitat loss is in relation to the species, not the Indigenous harvester (see IR #161);
- Confirm that spatial boundaries for Wildlife and Wildlife Habitat are appropriate (see IR #161);
- Confirmation of fish harvesting percentages and locations was not undertaken with PBCN. No information was provided by PBCN because Alamos did not ask for it, did not provide capacity to collect it, and did not engage with PBCN on this issue (see IR #177); and
- With respect to mitigation, will swamps within the LAA be monitored to ensure they are not affected by the Project during any mine phase, as specified (see IR #148)?

Conclusion

Thank-you for your consideration of our comments on the Round 1, Package 3 IR responses. We look forward to continuing to work with IAAC moving forward and hope to work together to

resolve any outstanding issues. Please do not hesitate to contact our Land Manager, Ted Merasty, at tmerasty@pbcn.ca, if you require additional information.

Sincerely,

<Original signed by>

Ben Merasty, Executive Director, PBCN

Cc: Chief and Council
Ted Merasty – Land Manager, PBCN