Lynn Lake Gold Project

Environmental Impact Statement IR Review: Round 1, Package 3

Manitoba Métis Federation

September 3, 2021

Table of Contents

Executive Summary 2

1.0 Introduction 4

1.1 Project Description 4

1.2 Regulatory Process 5

2.0 Manitoba Métis Community 9

2.1 History and Identity 9

2.2 Manitoba Métis Federation 12

2.3 MMF Resolution No. 8 15

2.4 Manitoba Métis Rights, Claims, and Interests 15

3.0 Review Findings 19

3.1 General Evaluation and Recommendations 20

3.2 Information Request Response Assessment – Package 3 22

4.0 Summary and Recommendations 60

5.0 References 61

Executive Summary

The Manitoba Métis Federation (MMF) has retained Shared Value Solutions (SVS) to review the Environmental Impact Statement (EIS) Information Request (IR) responses from Alamos Gold (Alamos; the Proponent) for the proposed Lynn Lake Gold Project (the Project) to support the Manitoba Métis in this process. In our review of the Round 1, Package 3 IR responses, we have identified six IRs that we believe the Proponent has not fully addressed.

In many instances where the Proponent has not addressed or only partially addressed the MMF's IRs, we find that the Proponent's responses are deficient in the following general categories:

1. A lack of a distinction-based consideration of the Project's anticipated and potential impacts to the Manitoba Métis, in particular Métis harvesting Rights as defined by Section 35, of the *Constitution Act* and the Supreme Court's 2003 Powley Decision which recognizes the Metis as a distinct Aboriginal people that have harvesting Rights including the Right to hunt, fish, trap and gather food, rights to domestic timber gathering and self-government Rights in the areas of land management, consultation and natural resource development; and
2. A lack of inclusion of Manitoba Métis-specific traditional knowledge and land use information in the proponent's evaluation of the Project's potential impact to valued components as was detailed in the MMF's Traditional Land Use and Occupancy Study.

The Manitoba Métis will be impacted by this project as evidenced through our Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study for the Project. In addition to providing additional information as requested in Section 3.2, the MMF requests that Alamos meaningfully engage with the MMF early in the Project's review process to accomplish the following tasks:

- Tailor project mitigations and avoidance strategies to be in alignment with a distinctions-based approach that recognizes the unique rights, claims and interests of the Manitoba Métis.
- Provide transparency as to how Manitoba Métis traditional knowledge and land use information has been and will continue to be considered in the Project's assessment and lifecycle operations.
- Ensure that the MMF has opportunities to determine the completeness of the proponent's socio-economic baseline information related to the Manitoba Metis early in the assessment process, and to provide sufficient resources and time for the MMF to collect any information it deems applicable should gaps be identified.
- Ensure the proponent has complete information related to species of importance to the Manitoba Métis.

Furthermore, the MMF requests that the Proponent explicitly commit to forming distinctions-based monitoring and advisory committees; one for the Manitoba Métis and one for First Nations, to enable appropriate representation and participation in lifecycle oversight and monitoring for the Project and to ensure the adequate inclusion of Manitoba Metis Traditional Knowledge and Land Use. This would ensure that Métis-specific feedback and values as outlined in the MMF's Traditional Land Use and Occupancy Study are the foundation of managing impacts to valued components over the Project's lifecycle. The Proponent should provide the Manitoba Métis with the opportunity to review data and participate in the ongoing monitoring and management of all water quality and quantity including

decision-making process for any substantive changes to the water quality and quantity monitoring on site. This should consist of regular input from Manitoba Métis land users and knowledge holders who can report any substantive environmental changes caused by Project activities. Capacity funding should be provided by the Proponent to enable the MMF to meaningfully participate in ongoing engagement with the Proponent and with Manitoba Métis land users throughout the life of the Project.

In addition to the above recommendations, the MMF submits the following as additional concerns for further conversations with the Impact Assessment Agency of Canada (IAAC) as it relates to its review of the Lynn Lake Gold Project Environmental Impact Statement (EIS) and future projects:

- The shortened review and commenting timelines and unacceptable burden this places on Indigenous groups who are already experiencing capacity and resource deficits, and
- The need for the IAAC to undertake a preliminary screening for response completeness prior to Indigenous groups conducting their review to ensure a more transparent level of information exchange as to how project impacts will be assessed and mitigated.
- IAAC should consider the MMF's assessment of Proponent responses to Information Request Round 1, Package 3, as well as our August 19, 2021 submission of response to Package 1 and Package 2, to inform Round 2 of the technical review of the Project's EIS.

1.0 Introduction

The Manitoba Métis Federation (MMF) has retained Shared Value Solutions (SVS) to review the Environmental Impact Statement (EIS) Information Request (IR) responses from Alamos Gold (Alamos the Proponent) for the proposed Lynn Lake Gold Project (the Project) to support the Manitoba Métis in this process. The objectives of our review are outlined below:

- Review the technical merit of the Proponent's response to the MMF's IRs, as well as a high-level review of the Proponent's response to IRs submitted by other parties, to evaluate impacts on the rights, claims and interests of the Manitoba Métis;
- Provide comments and recommendations on where and how the Manitoba Métis' rights, claims, and interests may need to be better accommodated through further information, to inform Project planning; and
- Identify issues and challenges with the Project that will require ongoing engagement and consultation with the Manitoba Métis via consultation with the MMF, the existing democratically elected government of the Manitoba Métis.

The Project is of interest to the MMF as it is located within the Métis homeland and the MMF's Thompson Region. The Manitoba Métis Traditional Knowledge, Land-use, and Occupancy (MMTKLUO) Study for the Project demonstrated substantial historic and ongoing Métis Land-Use and Occupancy, and Traditional Ecological Knowledge including hunting, fishing, trapping, gathering, and cultural and occupancy sites relevant to the Project's local and regional assessment areas (MMF 2020).

1.1 Project Description

Alamos is proposing the construction, operation, and eventual rehabilitation of two primary mine sites; the MacLellan and Gordon which are just east of the town of Lynn Lake, Manitoba (Figure 1). The Gordon mine historically operated as two open pit mines, which Alamos will redevelop as a larger single open pit mine (Figure 2). The MacLellan mine operated for three years as an underground gold mine, which Alamos proposes to redevelop as an open pit mine (Figure 3). Historically, both operations processed their ore at the mill and processing plant in Lynn Lake, Manitoba. Alamos proposes to construct a new mill and processing plant at the MacLellan site where ore from both the Gordon and MacLellan sites will be processed.

Alamos is planning for a 13-year mine life, though the Gordon site will be mined out by year 5 of operations, with ore being hauled to the MacLellan site until year 6 of operations. The Proponent has stated that they will process the ore using conventional methods including cyanidation for gold recovery, followed by in-plant cyanide recycle and destruction. The Proponent will be constructing a tailings management facility (TMF) at the MacLellan site to store the generated tailings. To fulfill the water requirement for the ore processing plant, the Proponent plans to primarily use water recycled from the TMF, augmented by open pit dewatering, the collection of runoff from stockpile areas, and seasonal freshwater make-up from the Keewatin River. The TMF would operate as a zero-discharge facility, meaning that they intend to recycle all contact and tailings water from the MacLellan site in their processing plant, and not release any water from the site until after closure of the mine. At the Gordon site, Farley and Gordon Lakes' water inputs will be significantly reduced by the Project during

construction and operation because of the dewatering of the open pit. Alamos plans to address this by treating contact water and intercepted groundwater from the Gordon site and returning it to Farley and Gordon lakes.

Power for the Gordon site will be supplied by diesel generators, and power for the MacLellan site will be provided by connection to Manitoba Hydro Line 6, which will be upgraded, and then owned and operated by Manitoba Hydro.

Hauling of ore from the Gordon to the MacLellan site for processing will occur along Highway 391 for years 1-6 of mine operations. This will involve seven trucks/hour for 20 hours/day or 140 trucks per day.

1.2 Regulatory Process

The Lynn Lake Gold Project is undergoing a Federal Environmental Assessment (EA) under the *Canadian Environmental Assessment Act* (CEAA) *2012*. The EA commenced in September 2017, and Alamos submitted their Environmental Impact Statement (EIS) in May 2020. The MMF were designated as one of the most affected Indigenous groups by the Impact Assessment Agency of Canada (IAAC; formerly known as the Canadian Environmental Assessment Agency) and were provided participant funding to comment on the Project EIS Summary. Following the submission of the EIS by the Proponent in July 2020, the MMF along with other reviewers (the Impact Assessment Agency of Canada, federal authorities, and impacted Indigenous Groups), identified gaps in the information provided by the Proponent as part of the EIS. This information is necessary to determine whether the Project is likely to cause significant adverse environmental effects and/or impacts to Indigenous rights, claims or interests and to inform IAAC's preparation of the Environmental Assessment (EA) Report under CEAA 2012.

Information Request (IR) packages were made to the Proponent by IAAC to allow Alamos to continue the gathering of essential information in a timely manner. A total of three packages containing IRs were provided to the Proponent between October 2020 and January 2021. The Proponent prepared responses to IR Round 1, Package 1 on May 25, 2021, responses to IR Round 1, Package 2 on June 1, 2021, and responses to IR Round 1, Package 3 on August 4, 2021. Subsequently, IAAC requested that the MMF review responses from each package and provide comments to IAAC to inform Round 2 of the technical review of the EIS.

Involvement in regulatory processes place a significant burden on the capacity and resources of impacted Indigenous groups so it is deeply concerning that for this project, the IAAC has advanced a process that places a highly restrictive timeline on reviewing and commenting. The IAAC's request to receive comments on Round 1 Package 3 IR responses within two weeks of their release and the submission deadline falling on a statutory holiday is unacceptable. This places undue burden on impacted Indigenous groups like the MMF to meaningfully participate in this process. Moving forward, IAAC must provide reasonable time and resources for Indigenous groups to review and comment on project documents. Furthermore, as a best practice, the IAAC should perform preliminary internal screening for response completeness prior to Indigenous groups conducting their review. This would enable a more appropriate and transparent level of information sharing on how project impacts are to be assessed and mitigated.

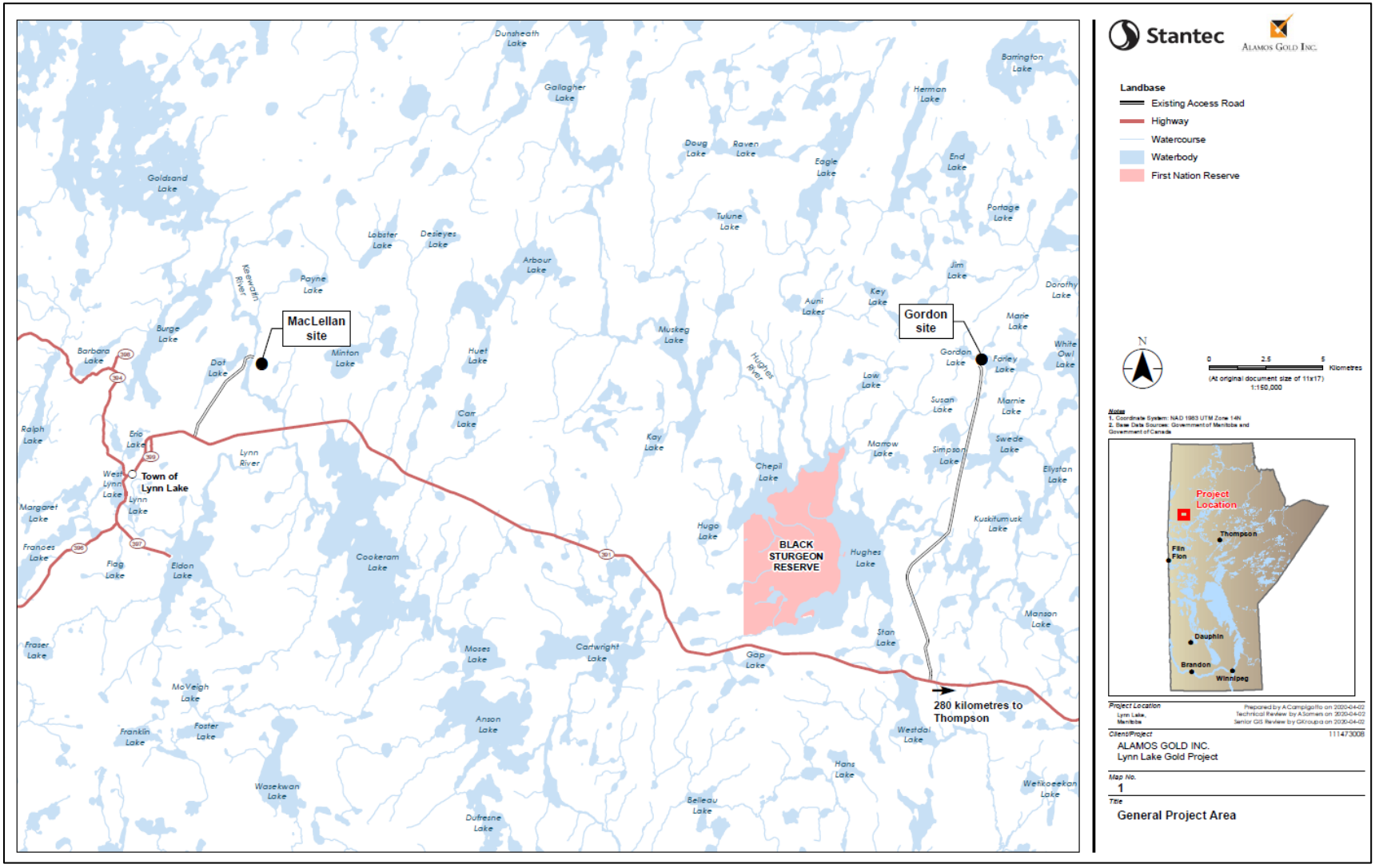

Figure 1 Location of the Project sites (Alamos Lynn Lake Gold Project EIS summary, 2020)

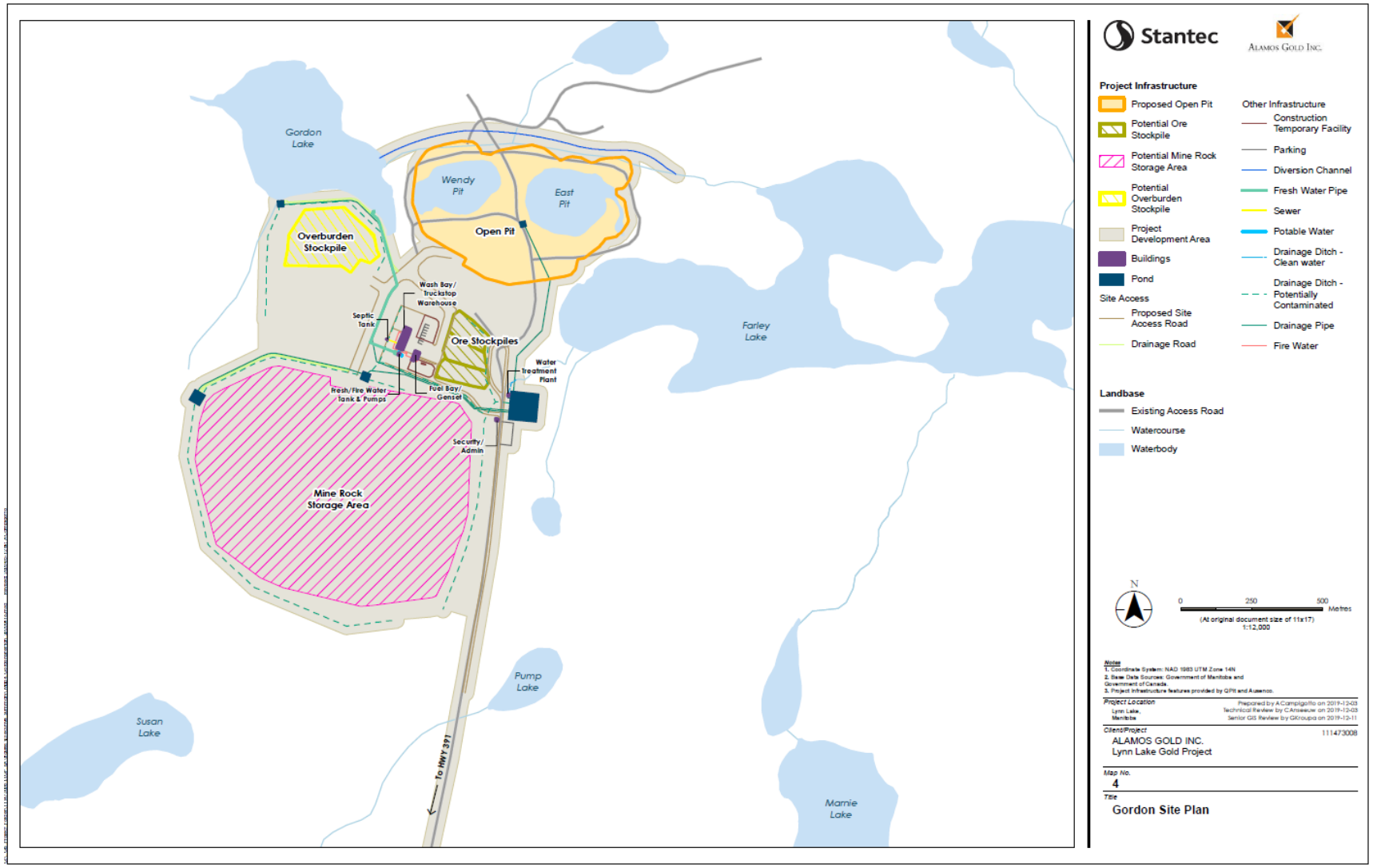

Figure 2 Gordon Site Plan (Alamos Lynn Lake Gold Project EIS summary, 2020)

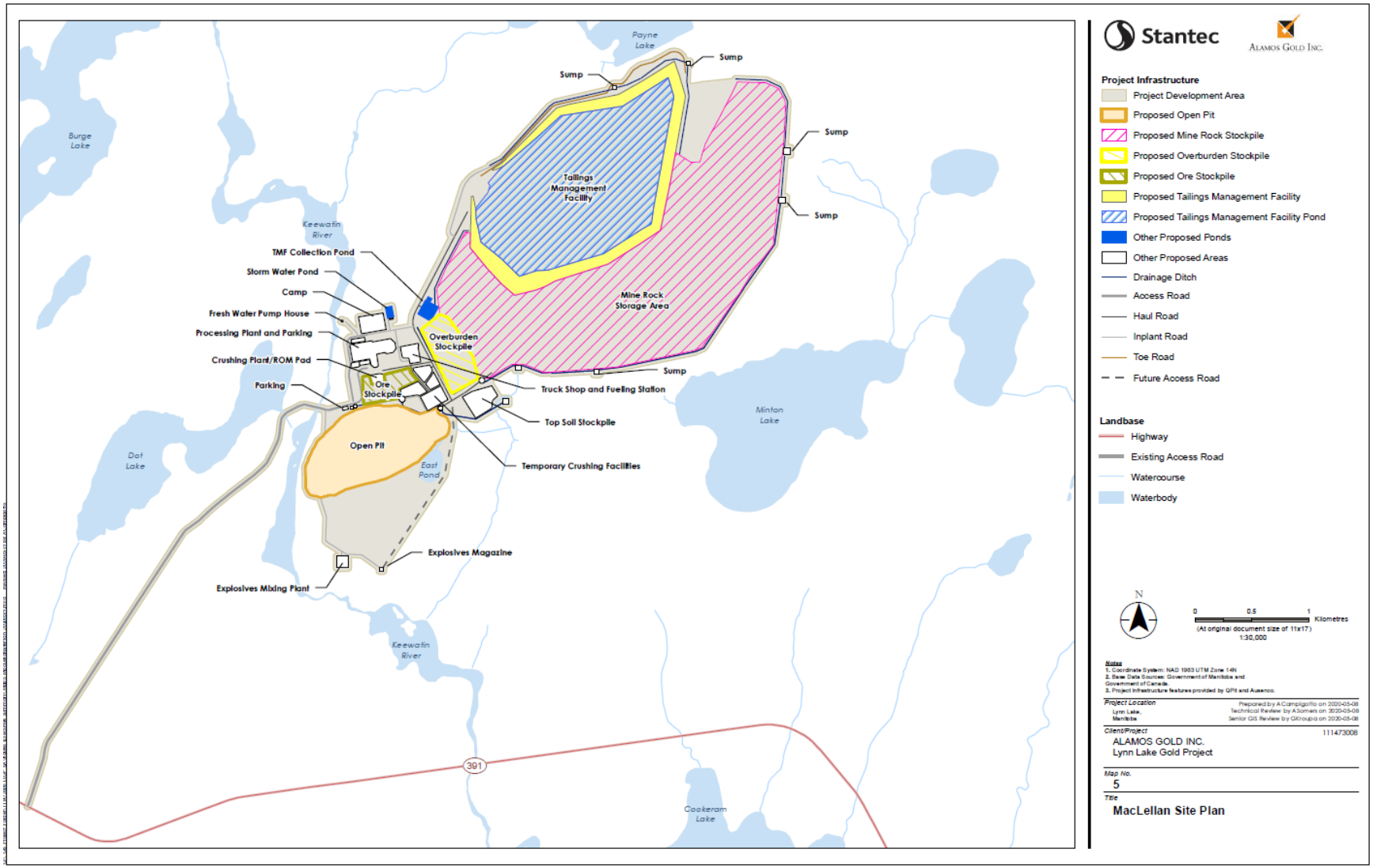

Figure 3 MacLellan Site Plan (Alamos Lynn Lake Gold Project EIS summary, 2020)

2.0 Manitoba Métis Community

2.1 History and Identity

The Métis Nation—as a distinct Indigenous people—evolved out of relations between European men and First Nations women who were brought together as a result of the early fur trade in the Northwest. In the eighteenth century, both the Hudson Bay Company and the Northwest Company created a series of trading posts that stretched across the upper Great Lakes, through the western plains, and into the northern boreal forest. These posts and fur trade activities brought European and Indigenous peoples into contact. Inevitably, unions between European men—explorers, fur traders, and pioneers—and Indigenous women were consummated. The children of these families developed their own collective identity and political community so that "[w]thin a few generations, the descendants of these unions developed a culture distinct from their European and Indian forebears" and the Métis Nation was born—a new people, indigenous to the western territories *(Alberta (Aboriginal Affairs and Northern Development) v. Cunningham*, [2011] 2 SCR 670 at para. 5; 2008 MBPC *R. v. Goodon*, 59 at para. 25; *Manitoba Metis Federation Inc. v. Canada (Attorney General)*, [2013] 1 SCR 623 at para. 2).

The Métis led a mixed way of life. "In early times, the Métis were mostly nomadic. Later, they established permanent settlements centered on hunting, trading and agriculture" (*Alberta v. Cunningham*, at para. 5). The Métis were employed by both of the fur trades' major players, the Hudson's Bay and Northwest companies. By the early 19th century, they had become a major component of both firms' workforces. At the same time, however, the Métis became extensively involved in the buffalo hunt. As a people, their economy was diverse; combining as it did, living off the land in the Aboriginal fashion with wage labour (*MMF Inc. v. Canada*, at para. 29).

It was in the Red River, in reaction to a new wave of European immigration, that the Métis Nation first came into its own. Since the early 1800s, the Manitoba Métis, who increasingly desires to be referred to as the Manitoba Métis —as a part of the larger Métis Nation—has asserted itself as a distinct Indigenous collective with rights and interests in its Homeland. The Manitoba Métis shares a language (Michif), national symbols (infinity flags), culture (i.e., music, dance, dress, crafts), as well as a special relationship with its territory that is centered in Manitoba and extends beyond the present-day provincial boundaries.

The Manitoba Métis has been recognized by the courts as being a distinctive Indigenous community, with rights that are recognized and affirmed in section 35 of the *Constitution Act, 1982*. In *R. v. Goodon*, the Manitoba court held that:

The Métis community of Western Canada has its own distinctive identity […] the Métis created a large inter-related community that included numerous settlements located in present-day southwestern Manitoba, into Saskatchewan and including the northern Midwest United States. This area was one community […] The Métis community today in Manitoba is a well-organized and vibrant community (paras. 46-47; 52).

This proud independent Métis population constituted a historic rights-bearing community in present day Manitoba and beyond, which encompassed "all of the area within the present boundaries of southern Manitoba from the present-day City of Winnipeg and extending south to the United States" (para. 48).

The heart of the historic rights-bearing Métis community in southern Manitoba was the Red River Settlement; however, the Manitoba Métis also developed other settlements and relied on various locations along strategic fur trade routes. During the early part of the 19th century, these included various posts of varying size and scale spanning the Northwest Company and the Hudson Bay Company collection and distribution networks.

More specifically, in relation to the emergence of the Métis—as a distinct Indigenous Nation in Manitoba—the Supreme Court of Canada wrote the following in the *MMF Inc. v. Canada* case:

"[21] The story begins with the Aboriginal peoples who inhabited what is now the province of Manitoba—the Cree and other less populous nations. In the late 17th century, European adventurers and explorers passed through. The lands were claimed nominally by England which granted the Hudson's Bay Company, a company of fur traders' operation of out London, control over a vast territory called Rupert's Land, which included modern Manitoba. Aboriginal peoples continued to occupy the territory. In addition to the original First Nations, a new Aboriginal group, the Métis, arose—people descended from early unions between European adventurers and traders, and Aboriginal women. In the early days, the descendants of English-speaking parents were referred to as half-breeds, while those with French roots were called Métis.

[22] A large—by the standards of the time—settlement developed at the forks of the Red and Assiniboine Rivers on land granted to Lord Selkirk by the Hudson's Bay Company in 1811. By 1869, the settlement consisted of 12,000 people, under the governance of Hudson's Bay Company.

[23] In 1869, the Red River Settlement was a vibrant community, with a free enterprise system and established judicial and civic institutions, centred on the retail stores, hotels, trading undertakings and saloons of what is now downtown Winnipeg. The Métis were the dominant demographic group in the Settlement, comprising around 85 percent of the population [approximately 10,000 Métis], and held leadership positions in business, church and government."

The fur trade was vital to the ethnogenesis of the Métis Nation and was active in Manitoba from at least the late 1770s, and numerous posts and outposts were established along cart trails and waterways throughout the province. These trails and waterways were crucial transportation networks for the fur trade (Jones 2014; Figure 44) and were the foundation of the Manitoba Métis' extensive use of the lands and waters throughout the province. In the early 20th century, the Manitoba Métis continued to significantly participate in the commercial fisheries and in trapping activities, which is well documented in Provincial government records.

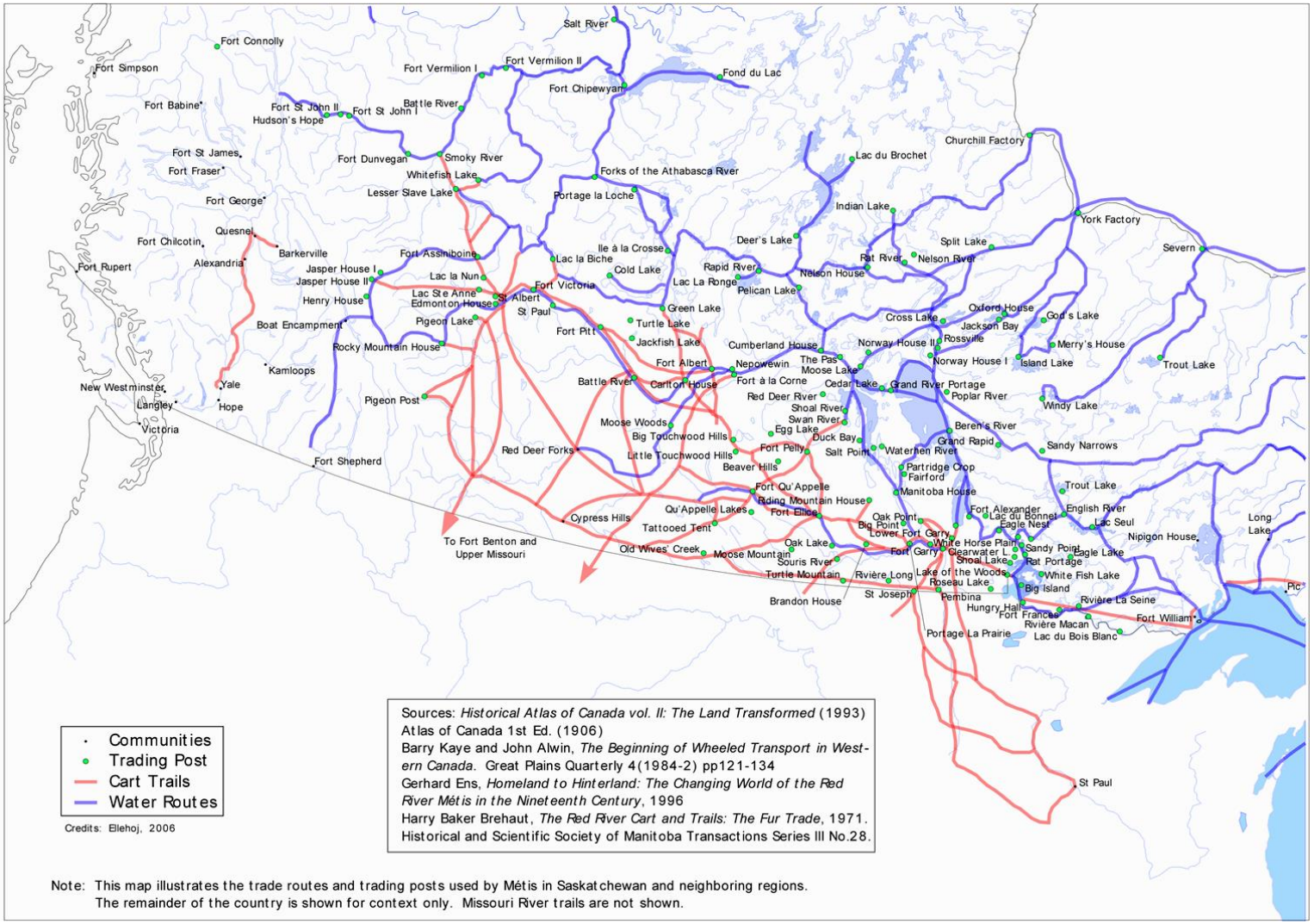

Figure 4 The Fur Trade Network: Routes and Posts Prior to 1870

2.2 Manitoba Métis Federation

The MMF is the democratically elected government of the Manitoba Métis. The MMF is duly authorized by the Citizens of the Manitoba Métis for the purposes of dealing with their collective Métis rights, claims, and interests, including conducting consultations and negotiating accommodations (as per MMF Resolution No. 8). While the MMF was initially formed in 1967, its origins lie in the 18th century with the birth of the Manitoba Métis and in the legal and political structures that developed with it. Since the birth of the Métis people in the Red River Valley, the Manitoba Métis—as a part of the larger Métis Nation—has asserted and exercised its inherent right of self-government. The expression of this self-government right has changed over time to continue to meet the needs of the Manitoba Métis. For the last 50 years, the MMF has represented the Manitoba Métis at the provincial and national levels.

During this same period, the MMF has built a sophisticated, democratic, and effective Métis governance structure that represents the Manitoba Métis at the local, regional, and provincial levels throughout Manitoba. The MMF was created to be the self-government representative of the Manitoba Métis—as reflected in the Preamble of the MMF's Constitution (also known as the MMF Bylaws):

"WHEREAS, the Manitoba Metis Federation Inc. has been created to be the democratic and self-governing representative body of the Manitoba Métis."

In addition, the purpose "to provide responsible and accountable governance on behalf of the Manitoba Métis using the constitutional authorities delegated by its citizens" is embedded within the MMF's objectives, as set out in the MMF Constitution as follows:

"To promote and instill pride in the history and culture of the Métis people.

To educate members with respect to their legal, political, social and other rights.

To promote the participation and representation of the Métis people in key political and economic bodies and organizations.

To promote the political, legal, social and economic interests and rights of its citizens.

To provide responsible and accountable governance on behalf of the Manitoba Métis community using the constitutional authorities delegated by its members."

The MMF is organized and operated based on centralized democratic principles, some key aspects of which are described below.

President: The President is the leader and spokesperson of the MMF. The President is elected in a province-wide ballot-box election every four years and is responsible for overseeing the day-to-day operations of the MMF.

Cabinet: The MMF Cabinet leads, manages, and guides the policies, objectives, and strategic direction of the MMF and its subsidiaries. All 23 individuals are democratically elected by Manitoba Métis Citizens.

Regions: The MMF is organized into seven regional associations or "Regions" throughout the province (Figure 5): The Southeast Region, the Winnipeg Region, the Southwest Region, the Interlake Region, the Northwest Region, the Pas Region, and the Thompson Region. Each Region is administered by a Vice-President and two executive officers, all of whom sit on the MMF's Cabinet. Each Region has an office which delivers programs and services to their specific geographic area.

Locals: Within each Region are various area-specific "Locals" which are administered by a chairperson, a vice-chairperson and a secretary-treasurer. Locals must have at least nine Manitoba Métis Citizens and meet at least four times a year to remain active. There are approximately 140 MMF Locals across Manitoba.

While the MMF has created an effective governance structure to represent the Manitoba Métis at the local, regional, and provincial levels, it is important to bear in mind that there is only one large, geographically dispersed, Manitoba Métis. Citizens of the Manitoba Métis live, work and exercise their section 35 rights throughout and beyond the province of Manitoba.

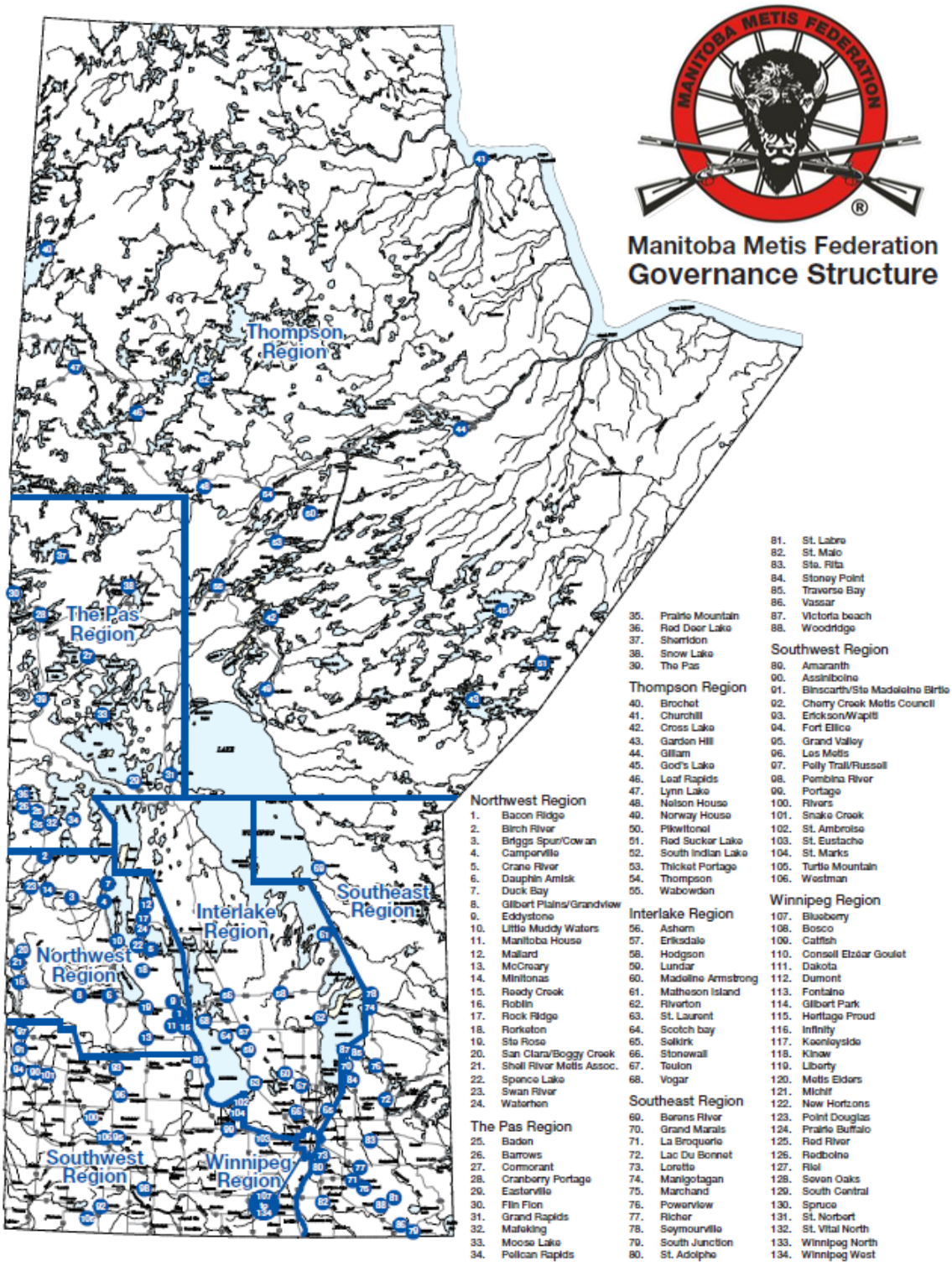

Figure 5 Manitoba Métis Federation (MMF) Regions

2.3 MMF Resolution No. 8

Among its many responsibilities, the MMF is authorized to protect the Aboriginal rights, claims, and interests of the Manitoba Métis, including as related to harvesting, traditional culture, and economic development, among others.

In 2007, the MMF Annual General Assembly unanimously adopted Resolution No. 8 that sets out the framework for engagement, consultation, and accommodation to be followed by Federal and Provincial governments, industry, and others when making decisions and developing plans and projects that may impact the Manitoba Métis. Under MMF Resolution No. 8, direction has been provided by the Manitoba Métis for the MMF Home Office to take the lead and be the main contact on all consultation undertaken with the Manitoba Métis. Resolution No. 8 reads, in part that:

"…this assembly continue[s] to give the direction to the Provincial Home Office to take the lead and be the main contact on all consultations affecting the Métis community and to work closely with the Regions and Locals to ensure governments and industry abide by environmental and constitutional obligations to the Métis…"

The MMF Home Office works closely with the Regions and Locals to ensure the rights, interests, and perspective of the Manitoba Métis are effectively represented in matters related to consultation and accommodation.

Resolution No. 8 has five phases:

Phase 1: Notice and Response

Phase 2: Funding and Capacity

Phase 3: Engagement or Consultation

Phase 4: Partnership and Accommodation

Phase 5: Implementation

Each phase is an integral part of the Resolution No. 8 framework and proceeds logically through the stages of consultation.

2.4 Manitoba Métis Rights, Claims, and Interests

The Manitoba Métis possesses Aboriginal rights, including pre-existing Aboriginal collective rights and interests in lands recognized and affirmed by section 35 of the *Constitution Act, 1982*, throughout Manitoba. The Manitoba court recognized these pre-existing, collectively held Métis rights in *R. v. Goodon* (at paras. 58; 72):

> *"I conclude that there remains a contemporary community in southwest Manitoba that continues many of the traditional practices and customs of the Métis people.*
>
> *I have determined that the rights-bearing community is an area of southwestern Manitoba that includes the City of Winnipeg south to the U.S. border and west to the Saskatchewan border."*

As affirmed by the Supreme Court of Canada, such rights are "recognize[d] as part of the special aboriginal relationship to the land" (*R. v. Powley,* 2003 SCC 43, at para. 50) and are grounded on a "communal Aboriginal interest in the land that is integral to the nature of the Métis distinctive community and their relationship to the land" (*MMF Inc. v. Canada*, at para. 5). Importantly, courts have also recognized that Métis harvesting rights may not be limited to Unoccupied Crown Lands (*R. v. Kelley*, 2007 ABQB 41, para. 65).

The Crown, as represented by the Manitoba government, has recognized some aspects of the Manitoba Métis' harvesting rights through a negotiated agreement: The *MMF-Manitoba Points of Agreement on Métis Harvesting* (2012) (the *MMF-Manitoba Harvesting Agreement*). This Agreement was signed at the MMF's 44th Annual General Assembly and "recognizes that collectively-held Métis Harvesting Rights, within the meaning of s. 35 of the *Constitution Act, 1982*, exist within the [Recognized Métis Harvesting Zone], and that these rights may be exercised by Métis Rights Holders consistent with Métis customs, practices and traditions…" (*MMF-Manitoba Harvesting Agreement*, section 1). In particular, the *MMF-Manitoba Harvesting Agreement* recognizes that Métis rights include "hunting, trapping, fishing and gathering for food and domestic use, including for social and ceremonial purposes and for greater certainty, Métis harvesting includes the harvest of timber for domestic purposes" throughout an area spanning approximately 169,584 km² (the "Métis Recognized Harvesting Area") (*MMF-Manitoba Harvesting Agreement*, section 2; Figure 66 below). The MMF further asserts Manitoba Métis rights and interests beyond this area, which require consultation and accommodation as well.

Beyond those rights already established through litigation and recognized by agreements, the Manitoba Métis claims commercial and trade-related rights. Courts have noted that Métis claims to commercial rights remain outstanding (*R. v. Kelley* at para. 65). These claims are strong and well-founded in the historical record and the customs, practices, and traditions of the Manitoba Métis, and it is incumbent on the Crown and Proponents to take them seriously.

As noted above, the Manitoba Métis has its roots in the western fur trade (*R. v. Blais*, 2003 SCC 44 at para. 9; *R. v. Goodon* at para. 25). The Manitoba Métis are descendants of early unions between Aboriginal women and European traders (*MMF Inc. v. Canada* at para. 21). As a distinct Métis culture developed, the Métis took up trade as a key aspect of their way of life (*R. v. Powley* at para. 10). Many Métis became independent traders, acting as middlemen between First Nations and Europeans (*R. v. Goodon* at para. 30). Others ensured their subsistence and prosperity by trading resources they themselves hunted and gathered (*R. v. Goodon* at para. 31, 33, & 71). By the mid-19th century, the Manitoba Métis had developed the collective feeling that "the soil, the trade and the Government of the country [were] their birth rights." (*R. v. Goodon* at para. 69(f)). Commerce and trade are, and always have been, integral to the distinctive culture of the Manitoba Métis. Today, the Manitoba Métis have an Aboriginal, constitutionally protected right to continue this trading tradition in modern ways to ensure that their distinct community will not only survive, but also flourish.

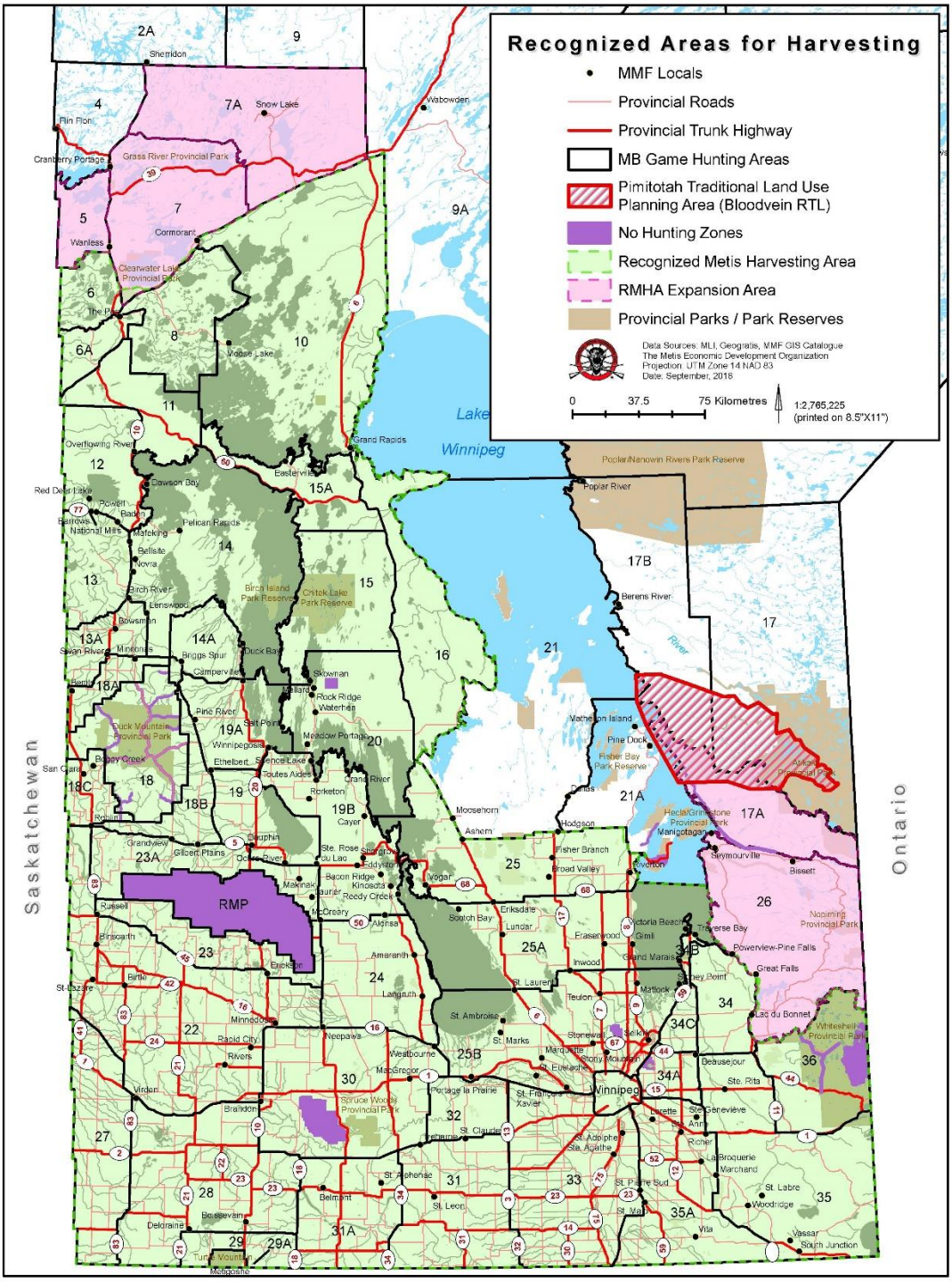

Figure 6 MMF-Manitoba Harvesting Agreement Recognized Manitoba Métis Harvesting Zones

Unlike First Nations in Manitoba, whose commercial rights were converted and modified by Treaties and the *Natural Resources Transfer Agreement* (*NRTA)* (*R. v. Horseman*, [1990] 1 SCR 901), the Métis' pre-existing customs, practices, and traditions—including as they relate to commerce and trade—were not affected by the *NRTA* (*R. v. Blais*) and continue to exist and be protected as Aboriginal rights. First Nations' Treaty rights in Manitoba are, for example, inherently limited by the Crown's power to take up lands (*Mikisew Cree First Nation v Canada* (*Minister of Canadian Heritage*), [2005] 3 SCR 388 at para 56). Métis rights, in contrast, are not tempered by the "taking up" clauses found in historic treaties with First Nations. Métis rights must be respected as they are, distinct from First Nations' rights and unmodified by legislation or agreements.

In addition to the abovementioned rights to land use that preserve the Métis culture and way of life, the Manitoba Métis has other outstanding land related claims and interests with respect to lands. Specifically, these claims relate to the federal Crown's constitutional promise to all Aboriginal peoples, including Manitoba Métis, as set out in the Order of Her Majesty in Council Admitting Rupert's Land and the North-Western Territory into the Union (the "1870 Order") which provides:

"that, upon the transference of the territories in question to the Canadian Government, the claims of the Indian tribes to compensation for lands required for purposes of settlement will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with the aborigines."

The manner in which the federal Crown implemented this constitutional promise owing to the Manitoba Métis—through the *Dominion Lands Act* and the resulting Métis scrip system—effectively defeated the purpose of the commitment. Accordingly, the MMF claims these federal Crown actions constituted a breach of the honour of the Crown, which demand negotiations and just settlement outside of the 'old postage stamp province' within Manitoba as well.

The MMF also claims that the *Dominion Lands Act* and the resulting Métis scrip system were incapable of extinguishing collectively held Métis title in specific locations where the Manitoba Métis is able to meet the legal test for Aboriginal title as set out by the Supreme Court of Canada. These areas in the province, which the Manitoba Métis exclusively occupied—as an Indigenous people—prior to the assertion of sovereignty, establish a pre-existing Métis ownership interest in these lands.

The Manitoba Métis also has an outstanding legal claim within what was the 'old postage stamp province' of Manitoba relating to the 1.4 million acres of land promised to the children of the Métis living in the Red River Valley, as enshrined in section 31 of the *Manitoba Act, 1870* (*MMF Inc. v. Canada* at para 154).

This land promised was a nation-building, constitutional compact that was meant to secure a "lasting place in the new province [of Manitoba]" for future generations of the Métis people (*MMF Inc. v. Canada* at para 5). This "lasting place" was to have been achieved by providing the Manitoba Métis a "head start" in securing lands in the heart of the new province (*MMF Inc. v. Canada* at paras 5-6).

Instead, the federal Crown was not diligent in its implementation of section 31, which effectively defeated the purpose of the constitutional compact.

In March 2013, the Supreme Court of Canada found that the federal Crown failed to diligently and purposefully implement the Métis land grand provision set out in s. 31 of the *Manitoba Act, 1870* (*MMF*

Inc. v. Canada at para 154). This constituted a breach of the honour of the Crown. In arriving at this legal conclusion, the Court wrote:

"What is at issue is a constitutional grievance going back almost a century and a half. So long as the issue remains outstanding, the goal of reconciliation and constitutional harmony, recognized in s. 35 of the Constitution Act, 1982 and underlying s. 31 of the Manitoba Act, remains unachieved. The ongoing rift in the national fabric that s. 31 was adopted to cure remains unremedied. The unfinished business of reconciliation of the Métis people with Canadian sovereignty is a matter of national and constitutional import." (*MMF Inc. v. Canada* at para 140)

This constitutional breach is an outstanding Manitoba Métis claim flowing from a judicially recognized common law obligation which burdens the federal Crown (*MMF Inc. v. Canada* at paras 156; 212). It can only be resolved through good faith negotiations and a just settlement for the Manitoba Métis with the MMF (see for example: *R v Sparrow*, [1990] 1 SCR 1075 at paras 51–53; *R v Van der Peet*, [1996] 2 SCR 507 at paras 229, 253; *Haida* at para 20; *Carrier Sekani* at para 32). Lands both within the 'old postage stamp province' as well as in other parts of Manitoba—since little Crown lands remain within the 'old postage stamp province'—may need to be considered as part of any future negotiations and settlement in fulfillment of the promise of 1.4 million acres, together with appropriate compensation.

On November 15, 2016, the MMF and Canada concluded a *Framework Agreement for Advancing Reconciliation* (the "Framework Agreement"). The Framework Agreement established a negotiation process aimed, among other things, at finding a shared solution regarding the Supreme Court of Canada's decision in *MMF Inc. v. Canada* and advancing the process of reconciliation between the Crown and the Manitoba Métis. It provides for negotiations on various topics including, but not limited to, the "quantum, selection and management of potential settlement lands."

Negotiations related to the Framework Agreement concluded with the July 6, 2021 signing of the Manitoba Métis Self-Government Recognition and Implementation Agreement (the Agreement) between Canada and the MMF. The Agreement recognizes the MMF as the existing democratically elected government of the Manitoba Métis and ensures that the MMF will continue to provide responsible and accountable self-government. The Agreement is the first step toward conclusion of a constitutionally protected Treaty to be ratified by the Manitoba Métis and Parliament and ensures that the parties will continue to negotiate to conclude the Treaty which include provisions addressing necessary matters such as the relationship of laws, enforcement and adjudication, a tax treatment agreement, and Supplementary Self-Government Agreements for expanded MMF jurisdictions. The Agreement also ensures the continuation of negotiations to attempt to agree on an approach to fulfill the obligations to the Manitoba Métis contained in section 31 of the *Manitoba Act, 1870* (para.57).

3.0 Review Findings

The findings of our review of the Proponent's responses to Information Request Round 3, which are focus on incorporation of the Manitoba Métis Traditional Knowledge and Land Use study findings, Manitoba Métis rights, claims and interests are presented in the subsections 3.1 and 3.2 below.

3.1 General Evaluation and Recommendations

Overall, we find that the Proponent has only ***partially addressed*** and, in some cases, ***not addressed*** the MMF's Round 1, Package 3 IRs. As it relates to a resource development project of this magnitude, it is incumbent on the proponent to provide detailed information regarding project activities, their anticipated impacts, proposed steps being taken to avoid or mitigate impacts to the rights, claims and interests of the Manitoba Métis, and to demonstrate how information provided via the MMTKLUO has been incorporated into the Project assessment.

In those instances where the Proponent has either partially addressed or not addressed our IRs, we find that the Proponent's responses are deficient in the following general categories:

- A lack of a distinction-based consideration of the Project's anticipated and potential impacts to the Manitoba Métis , in particular Métis harvesting Rights as defined by Section 35, of the *Constitution Act* and the Supreme Court's 2003 Powley Decision which recognizes the Metis as a distinct Aboriginal people that have harvesting Rights including the Right to hunt, fish, trap and gather food, rights to domestic timber gathering and self-government Rights in the areas of land management, consultation and natural resource development; and
- A lack of inclusion of Manitoba Métis-specific traditional knowledge and land use information in the proponent's evaluation of the Project's potential impact to valued components as was detailed in the MMF's Traditional Land Use and Occupancy Study.

The Manitoba Métis will be impacted by this project as evidenced through our Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study for the Project. In addition to providing additional information as requested in Section 3.2, the MMF requests that Alamos meaningfully engage with the MMF early in the Project's review process to accomplish the following tasks:

- Tailor project mitigations and avoidance strategies to be in alignment with a distinctions-based approach that recognizes the unique rights, claims and interests of the Manitoba Métis.
- Provide transparency as to how Manitoba Métis traditional knowledge and land use information has been and will continue to be considered in the Project's assessment and lifecycle operations.
- Ensure that the MMF has opportunities to determine the completeness of the proponent's socio-economic baseline information related to the Manitoba Metis early in the assessment process, and to provide sufficient resources and time for the MMF to collect any information it deems applicable should gaps be identified.
- Ensure the proponent has complete information related to species of importance to the Manitoba Métis.

The MMF requests that the Proponent explicitly commit to forming distinctions-based monitoring and advisory committees; one for the Manitoba Métis and one for First Nations, to enable appropriate representation and participation in lifecycle oversight and monitoring for the Project. This would ensure that Métis-specific feedback and values as outlined in the MMF's Traditional Land Use and Occupancy Study are the foundation of managing impacts to valued components over the Project's lifecycle. The Proponent should provide the Manitoba Métis with the opportunity to review data and participate in the ongoing monitoring and management of all water quality and quantity including decision-making

process for any substantive changes to the water quality and quantity monitoring on site. This should consist of regular input from Manitoba Métis land users and knowledge holders who can report any substantive environmental changes caused by Project activities. Capacity funding should be provided by the Proponent to enable the MMF to meaningfully participate in ongoing engagement with the Proponent and with Manitoba Métis land users throughout the life of the Project.

Further, the MMF expects that the Proponent will continue to meaningfully engage with the MMF and involve the Manitoba Métis throughout all aspects of the Project which may impact their rights, claims, and interests.

3.2 Information Request Response Assessment – Package 3

Information Request Reference #/IES Reference	Information Request	Proponent Response	MMF Assessment of Response
IAAC-146 (MCCN-51) 8.4.2.3 Project Residual Effects 11.1.4.1 Spatial Boundaries	a. Describe the spatial extent of the direct and indirect effects to vegetation and wetlands and how spatial boundaries account for the full potential scope of effects. i. Clarify how a 1 km buffer area was selected for the LAA, considering that indirect effects to vegetation and wetlands are anticipated to extend beyond this area. b. Clarify and describe how the selection of the spatial boundaries for vegetation and wetlands considered Indigenous knowledge and community knowledge, and how potential impacts to rights were considered in the selection of the spatial boundaries. c. Describe whether any boundaries need to be updated based on the information provided in parts a and b. If boundaries are updated, provided an updated effects	a. The Gordon site is expected to cover 269.4 hectares (ha) and the MacLellan site is expected to cover 937.9 ha (Environmental Impact Statement [EIS], Volume 2, Chapter 11, Section 11.4.3). Existing vegetation and wetlands within the sites will be directly affected due to removal from clearing during Project construction. Existing vegetation and wetlands may also be indirectly affected by dust from road use, drilling and blasting and rock removal, weed introduction and spread, and changes in surface and groundwater. To assess direct and indirect effects on vegetation and wetlands from the Project, local assessment areas (LAAs) were established. The LAAs are 1 km buffers around the Project Development Areas (PDAs) of the Gordon and MacLellan sites, plus a 100 m buffer around the furthest groundwater drawdown contours. The LAAs include the full extent of vegetation and wetland clearing and associated changes in surface water flow patterns, and the furthest expected extent of groundwater drawdown. An LAA consisting of a 1 km buffer around Provincial Road (PR) 391 between the Gordon and MacLellan sites was also included to assess indirect effects from dust deposition due to Project vehicle traffic. With proposed mitigation, dust is expected to be deposited on vegetation adjacent to roads and disturbed areas. i. A 1 km buffer around PDAs was selected for the LAAs as this includes the furthest extent of expected changes to vegetation and is large enough to be representative of the spatial distribution of native vegetation communities potentially affected. Indirect effects are not anticipated to	**a. Addressed** **b. Addressed** **c. Addressed**

	assessment and identify any changes to the conclusions. Describe any mitigation measures, monitoring, and follow-up as necessary.	extend beyond 1 km. b. The initial selection of spatial and temporal boundaries for vegetation and wetlands reflect available Indigenous and community knowledge gained from a combination of sources, which include literature review, field programs and Alamos' Indigenous engagement efforts. As stated in Volume 1, Chapter 4, Section 4.3.2 of the Environmental Impact Statement (EIS), spatial boundaries for the assessment were selected based on the geographic extent over which Project activities and their effects on vegetation and wetlands are likely to occur, as well as other ecological, technical, and social considerations. Information provided by Indigenous Nations and communities helped identify Project effect pathways, such as dust and changes in wetland water levels. Identified plant collection areas are not intersected by the PDAs or LAAs. Identified plant collection areas include: Anson Lake, Black Sturgeon Lake, shore of Burge Lake, Churchill River, Cockeram Lake, Eden Lake, Frances Lake (north end of lake), Gap Lake, Glad Lake, Gold Lake, Goldsand Lake, Hughes Lakes, Jackson Lake (medicinal plants), Laurie River, Lynn Lake, Moses Lake, Muskeg Lake, Portage from Eden Lake to Granville Lake and Churchill River to Pukatawagan, Ralph Lake, Russel Lake, area between Zed and Little Brightsand Lake, Zed Lake. The initial selection of spatial boundaries reflects available Indigenous and community knowledge gained from a combination of sources, which include literature review, field programs and Alamos' Indigenous engagement efforts. As stated in Volume 1, Chapter 4, Section 4.3.2 of the EIS, spatial boundaries for the assessment were selected based on the geographic extent over which Project activities and their effects on vegetations and wetlands, and hence the ability to exercise Indigenous rights that depend upon these resources, are likely to occur, as well as other ecological, technical, and social considerations.	

		Information has been obtained from Indigenous Nations through Project-specific TLRU studies and the Indigenous engagement program for the Project has largely served to confirm the selection of spatial boundaries. TLRU studies completed by Indigenous Nations may identify spatial boundaries in relation to their traditional lands or traditional territories. Project-specific TLRU information has been shared by Marcel Colomb First Nation who applied the spatial boundaries used for the environmental assessment in their study, and the Manitoba Metis Federation (MMF), who chose boundaries that differ from the environmental assessment. The MMF spatial boundaries were larger (100 km buffer of the Project). The EIS applied spatial data from the MMF TLRU study within the corresponding spatial boundaries for baseline condition and effects assessment. Since boundaries identified by various Indigenous Nations often vary considerably, it is necessary to define consistent spatial boundaries in the EIS based upon the predicted geographic extent of potential effects in order to establish consistent assessment boundaries and permit comparable residual effects characterizations. While physical effects of the Project are not expected to extend beyond the regional assessment area (RAA), information regarding traditional use sites, activities, and resources, including preferred harvesting sites, beyond the RAA are considered where that information has been provided by Indigenous Nations. c. Based on the information provided in parts a. and b. above, no update to the assessment boundaries used for vegetation and wetlands is considered to be warranted. Although information obtained through engagement with Indigenous Nations indicates where plants are collected, this information does not necessitate modification of the spatial boundaries of the assessment since the Project will not affect vegetation beyond the selected assessment boundaries. Indigenous input from engagement activities since May	

		2020 was incorporated into the supplemental filing to the EIS that was provided to IAAC in March 2021. No new sensitive receptors have been identified and no changes to the selected assessment boundaries or the conclusions of the EIS are proposed based on the additional information received. A response to comment MCCN-51 from Mathias Colomb Cree Nation was provided by Alamos directly to that Indigenous Nation in February 2021. The direct response to MCCN-51 included the information provided herein (i.e., in this response to IAAC-146) and sought additional comment from Mathias Colomb Cree Nation. No further comments have been received from Mathias Colomb Cree Nation. Alamos' engagement with Indigenous Nations will be ongoing for the life of the Project.	
IAAC-160 (IAAC SDFN-94) 12.2.1.1 Background Review 12.2.2.1 Wildlife Species	a. Provide all sources of baseline information (including information on current use of lands and resources) that were used for the determination of wildlife species of importance to be used in the effects assessment for wildlife and wildlife habitat. Describe how this information was gathered / will be gathered and how engagement with Indigenous Groups informed / will inform the selection of wildlife species as "of importance" in the assessment of effects for wildlife and wildlife habitat. b. Provide a comprehensive list of the wildlife species that fall under the definition of "species of importance" for Indigenous Groups	a. As part of the information sharing throughout the engagement process, Project related information, including for species of importance to Indigenous Nations, was provided in the form of traditional land and resource use (TLRU) studies and other forms of information sharing (see Volume 2, Chapter 12, Section 12.1.2.1 of the Environment Impact Statement [EIS]). This includes Project-specific TLRU studies from Marcel Colomb First Nation (the First Nation in closest proximity to the Project; Stantec 2018) and the Manitoba Metis Federation (SVS 2020); similar reports from three other Indigenous Nations, Peter Ballantyne Cree Nation, Marcel Colomb Cree Nations, and Sayisi Dene First Nation, have yet to be provided. Along with concerns raised by Indigenous Nations through engagement, these sources of baseline information identified key concerns relating to wildlife and wildlife habitat and identified important wildlife species to Indigenous harvesters (generally trapped or hunted species; see Volume 2, Chapter 12, Section 12.1.2.1 of the EIS). The focal species, or assemblages of species, used in the assessment is presented in Table 12-1 in Volume 2, Chapter 12, Section 12.0 of the EIS including rationale for	**a. Addressed** **b. Partially addressed** The TLRU study by SVS (2020) includes information on the current use of lands and resources and wildlife/wildlife habitat, but does not list or specifically mention species of importance. A Number of species are mentioned throughout the document but no distinction has been made as to whether or not these are species of importance. Focal species were not identified in the SVS (2020) TLRU, so the focal species specific to the MMF may not be accurately accounted for. The Manitoba Métis Federation report (SVS 2020) indicates that several

	in the effects assessment and provide a	inclusion. b. Table IAAC-160-1 (attached in Appendix A) summarizes all wildlife species mentioned in the above-noted TLRU studies which are considered important species to Marcel Colomb First Nation and the Manitoba Metis Federation, and which species were included as focal species in the assessment (Volume 2, Chapter 12, Section 12.0, Table 12-1 of the EIS). Table IAAC-160-1 provides a comprehensive list of species of importance, and is based TLR information received to date through engagement with Indigenous Nations. The criteria used to select focal species for assessment included species range and distribution (to identify potential for Project interaction), importance to Indigenous harvesters as identified in Project-specific TLRU studies, conservation status (i.e., species at risk), regulatory considerations (i.e., species with critical habitat), and/or ecological and/or socio-economic importance. As such, species that do not occur in the RAA e.g., deer, barren-ground caribou) were not selected as focal species (Table 12-1 in Volume 2, Chapter 12, Section 12.0 of the EIS). References: Stantec Consulting Ltd. (Stantec). 2018. A Traditional Land and Resource Use Study for Marcel Colomb First Nation, Manitoba: EA/EIS Version. Prepared for: Marcel Colomb First Nation. Prepared by: Stantec. January 11, 2018. SVS (Shared Value Solutions). 2020. Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study for the Lynn Lake Gold Mine Project: Final Report. Prepared for: Manitoba Metis Federation. February 2020.	members of the Manitoba Métis Community have harvested deer and caribou (sub-species unspecified) within the Study Area. This is counter to the proponent's response that deer do not occur in the RAA and the sub-species of caribou harvested should be verified with the Manitoba Métis.
IAAC-171 (MMF-29) 13.2 Existing Conditions for Labour and Economy	a. Describe the data and rationale used to assess the socio-economic conditions of Indigenous Groups.	a. The data used to assess the socio-economic conditions of Indigenous Nations is presented in Volume 2, Chapter 13, Section 13.1.2 and 13.2.1 (Labor and Economy) and Volume 2, Chapter 19, Section 19.2.1 (Indigenous Peoples) of the Environmental Impact	**a. Addressed** **b. (i. – vi.) Partially addressed** Further efforts to consult and engage

13.9 Follow-up and Monitoring 14.2 Existing Conditions for Community Services, Infrastructure, and Wellbeing 19.2.2 Overview Table 19-3 Guidance Appendices to the Major Projects Assessment Standard	b. Update the Indigenous socio-economic baseline with Indigenous Group-specific data, where possible. As applicable: i. identify the criteria used to assess socio-economic conditions; ii. describe the involvement of each Indigenous Group in the regional commercial economy; iii. identify any factors preventing access to employment or other economic opportunities; iv. identify the socio-economic vulnerabilities of the economically marginalized; v. identify the general state of community well-being including the physical and mental health conditions; vi. analyze access to (including potential pressures on) social services and protection facilities in the community; and	Statement (EIS) and includes data obtained from engagement carried out by Alamos with potentially affected Indigenous Nations, including traditional land and resource use studies and open houses, historical literature, internet sources, and government sources such as Statistics Canada (e.g., 2016 Census of the Population (Census) Community Profiles and 2011 Census and National Household Survey (NHS) Community Profiles). The rationale used to assess labor and economy, including labor and economic conditions of Indigenous Nations, is presented in (Volume 2, Chapter 13, Section 13.1.3). The assessment of effects on labor and economy was completed using estimates of direct, indirect, and induced economic impacts of Project construction, operation, and decommissioning/closure as presented in Volume 2, Chapter 13, Section 13.4.1 of the EIS using Manitoba's Input-Output Model and Tax Revenue Impact Assessment Model with input data provided by Alamos (PwC 2020a, 2020b). Regional impacts were estimated by applying location quotients (i.e., a statistical measure used to determine a region's [i.e., the Northern Region of Manitoba] industrial specialization relative a larger geographical unit [Manitoba]) to each industry affected by the mine). Estimates of carbon taxes, based on projections provided by Alamos, were also provided by at the provincial level (based on the federal Output-Based Pricing System). A copy of the economic impact assessment completed by PwC including explanation of analytic methods is presented in Volume 2, Chapter 13, Appendix 13A of the EIS. This method conforms to the EIS Guidelines for the Project, as well as applicable Canadian Environmental Assessment Agency guidance documents. While the assessment of labor and economy recognizes the intrinsic importance of effects to local and regional labor force and business and economy on the health and wellbeing of Indigenous Nations, the labor and economy assessment itself does not assess or predict	Indigenous groups on socio-economic matters should be advanced. Should they so choose, in instances where there is limited group-specific socio-economic information or the information cited by the proponent is determined by the implicated Indigenous group to be incomplete, the proponent should provide sufficient resources and time for said Indigenous groups to collect any information they deem applicable to adequately update group-specific data related to socio-economic baseline information. **c. Partially addressed** Further efforts to consult and engage Indigenous groups on socio-economic matters should be advanced. Should they so choose, in instances where there is limited group-specific socio-economic information or the information cited by the proponent is determined by the implicated Indigenous group to be incomplete, the proponent should provide sufficient resources and time for said Indigenous groups to collect any information they deem applicable to adequately update group-specific data related to socio-economic baseline information. **d. Partially addressed** Further efforts to consult and engage

	vii. identify existing infrastructure including access to roads, housing, and additional pressures on infrastructure. c. Describe how Indigenous Group-specific socio- economic information is considered in the assessment of impacts to Indigenous people and their rights. Describe efforts made to engage with each Indigenous Group to inform the assessment. d. Update the effects assessments, as applicable, to include the information gathered in parts b and c. Identify any changes to the conclusions in the effects assessments and any additional mitigation measures, as necessary.	direct effects on those groups. The assessment of Indigenous socio-economic conditions, presented in Volume 2, Chapter 19 of the EIS, incorporates the results of the labor and economy assessment; however, this assessment focuses on how changes to the environment caused by the Project will affect the conditions, attributes, sites, lands, and resources that support the socio-economic wellbeing of Indigenous Nations (Volume 2, Chapter 19, Section 19.4.4). The methods for the assessment of Indigenous socio-economic conditions, including the identification of Project interactions with Indigenous socioeconomic conditions and potential effects pathways, were developed in consideration of: results of the Indigenous engagement program for the Project, including Project-specific traditional land and resource use (TLRU) studies; review of publicly available literature containing TLRU information for Indigenous Nations engaged on the Project; conclusions of relevant biophysical and socioeconomic assessments; and feedback on the assessment from participating Indigenous Nations. b. The characterization of baseline Indigenous socio-economic conditions is described in Volume 2, Chapter 19, Section 19.2.2.2 of the EIS and includes information obtained through TLRU studies conducted by Indigenous Nations; government reports and databases (i.e., Crown-Indigenous Relations and Northern Affairs Canada, Canadian Census); historical literature; and Internet sources (e.g., Indigenous Nation websites). Additional Nation-specific information is documented in a supplemental filing that was provided to IAAC in March 2021 providing an overview of the subsequent activities that were conducted by Alamos, between May 22, 2020 and December 31, 2020, to engage the 13 Indigenous Nations that were identified by IAAC as potentially affected by the Project. The key additional concerns and issues raised by Indigenous Nations during the course of the	Indigenous groups on socio-economic matters should be advanced. Should they so choose, in instances where there is limited group-specific socio-economic information or the information cited by the proponent is determined by the implicated Indigenous group to be incomplete, the proponent should provide sufficient resources and time for said Indigenous groups to collect any information they deem applicable to adequately update group-specific data related to socio-economic baseline information.

		engagement activities conducted between May 22 and December 31, 2020 are summarized in the supplemental filing, along with Alamos' actions to address these additional concerns and issues. Alamos' plans for future engagement activities to be carried out in 2021 are also described for each Indigenous Nation in the March 2021 supplemental filing. On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. No other new Indigenous Nation-specific socio-economic data has been obtained through Indigenous engagement since the March 2021 supplemental filing. No updates to the Indigenous socio-economic baseline information presented in the EIS, or changes the conclusions of the EIS, are proposed based on the additional	

		information received from Indigenous Nations and summarized in the supplemental filing. i. Based on the current information in Volume 2, Chapter 19 of the EIS, criteria to assess Indigenous socio-economic conditions is described in Section 19.1.4 and includes land or resource use capacity, use or access to or interference with infrastructure, levels of local employment, goods and services, and economic activity. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations regarding criteria to assess Indigenous socio-economic conditions. ii. The involvement of Indigenous Nations in the regional economy is described in Volume 2, Chapter 19, Section 19.2.2.2. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations regarding their involvement in the regional economy. iii. Factors preventing access to employment and other economic opportunities are described in Volume 2, Chapter 19, Section 19.2.2.2 and include a lack of opportunities in education, employment, and information flow; lack of community capacity; and the need for community liaisons and councilors to mentor trainees and employees. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations regarding factors preventing their access to employment and other economic opportunities. iv. The socio-economic vulnerabilities of Indigenous Nations are described in Volume 2, Chapter 19, Section 19.2.2.2 and	

		include access to education and social services programming, access to affordable, safe, housing, and access to healthcare. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations regarding the socio-economic vulnerabilities of Indigenous Nations. v. Indigenous Nation well-being as it relates to Indigenous health conditions is described in Volume 2, Chapter 19, Section 19.2.2.1, while community wellbeing as it relates to infrastructure and services is described in Volume 2, Chapter 14, Section 14.2.2.7 and 14.2.2.8. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations regarding Nation well-being as it relates to health conditions. vi. Access to social services is described in Volume 2, Chapter 14, Section 14.2.2 and includes a description of access to recreation, education, healthcare, and emergency services. These services are assessed for Project-related effects in Volume 2, Chapter 14, Section 14.4 of the EIS. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations regarding Indigenous access to (or potential pressures on) social services. vii. Existing infrastructure is described in Volume 2, Chapter 14, Section 14.2.2 and includes a description of housing, municipal infrastructure, and transportation networks. These services are assessed for Project-related effects in Volume 2, Chapter 14, Section 14.4 of the EIS. No updates to this information in the EIS are warranted, because Alamos has not received additional information from Indigenous Nations	

		regarding their infrastructure. c. As described in Volume 2, Chapter 19, Section 19.1.1.4, socio-economic information from Indigenous Nations incorporated into the assessment includes current use information as described in Volume 2, Chapter 17, as well as relevant information from the labor and economy assessment (Volume 2, Chapter 13), community services, infrastructure, and wellbeing assessment (Volume 2, Chapter 14) and land and resource use assessment (Volume 2, Chapter 15). Information was also obtained through the Indigenous engagement program for the Project (Volume 1, Chapter 3, Appendix 3B), and Project-specific TLRU studies (Volume 2, Chapter 17, Appendix 17A). This information was incorporated into the assessment for Indigenous socio-economic conditions (Volume 2, Chapter 19) in the characterization of the baseline and in the determination of Project effects, mitigation measures, and significance of effects. The conclusions of the assessment of current use of lands and resources for traditional purposes (Volume 2, Chapter 17) of the EIS were also incorporated into the assessment of Indigenous socio-economic conditions as these assessments also closely linked in that the exercise of Indigenous and Treaty rights relies upon the exercise of traditional activities and on the health and abundance, availability, and access to traditionally harvested species. The conclusions of both assessments supported the assessment of Indigenous and Treaty rights presented in Volume 2, Chapter 19, Section 19.9.3. On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information	

		provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. Efforts made to engage Indigenous Nations are described in Volume 1, Chapter 3, Section 3.3.4 and in the March 2021 supplemental filing and include TLRU studies, meetings with leadership, community meetings, fieldwork opportunities, information packages, tours, among other activities. d. A supplemental filing was submitted to IAAC in March 2021 that includes new information collected from more recent engagement activities (May 2020-December 2020). On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent	

		with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. No other additional baseline data for socio-economic conditions was received, no additional mitigation measures have been identified, and no changes to the conclusions in the EIS are proposed based on the additional information received from Indigenous Nations following the filing of the EIS and summarized in this supplemental filing. The EIS predictions regarding the characterization of residual adverse effects on all VCs and the determinations of significance of residual adverse effects on all VCs remain valid and applicable in consideration of the information received through engagement with Indigenous Nations up to December 31, 2020. No updates to the assessment are warranted based on the information gathered in parts b and c. Responses to comments CCN-109, CCN-111, CCN-112, CCN-113, CCN-114, CCN-116, CCN-117, and CCN-120 from Chemawawin Cree Nation; MCCN-59, MCCN-60, MCCN-62, MCCN-63, MCCN-64, MCCN-65, MCCN-66, MCCN-74, and MCCN-95 from Mathias Colomb Cree Nation; MMF-29 from the Manitoba Metis Federation; and SDFN-125, SDFN-126, SDFN-127, SDFN-130, SDFN-132, SDFN-133, SDFN-135, and SDFN-136 from Sayisi Dene First Nation were provided by Alamos directly to those Indigenous Nations in February 2021. The direct responses to the Indigenous Nations included the information provided herein (i.e., in this response to IAAC-171) and sought additional comment from the Nations.	

		Alamos' engagement with Indigenous Nations will be on-going for the life of the Project	
IAAC-187 4.3.4.4 Assessment of Cumulative Environmental Effects 13.1.4.1 Spatial Boundaries 17.1.5 Boundaries 17.2.13 Indigenous Nations	a. Identify how information from each Indigenous Group was considered in the selection of all spatial and temporal boundaries for current use of lands and resources for traditional purposes. b. Identify and describe any disparity between the views of Indigenous Groups and the proponent on the selection of spatial and temporal boundaries for current use of lands and resources for traditional purposes, efforts made to reconcile the disparities, and rationale for conclusions on matter for which disparity in views remains.	a. The initial selection of spatial and temporal boundaries for each Valued Component (VC) reflects available Indigenous and community knowledge gained from a combination of sources, which include literature review, field programs and Alamos' Indigenous engagement efforts. As stated in Volume 1, Chapter 4, Section 4.3.2 of the Environmental Impact Statement (EIS), spatial boundaries for the assessment were selected based on the geographic extent over which Project activities and their effects on VCs are likely to occur, as well as other ecological, technical, and social considerations. Temporal boundaries for the assessment address the potential effects during the Project's construction, operation, and decommissioning/closure phases over relevant timescales. Additionally, temporal boundaries for traditional land and resource use (TLRU) recognize that current use must be understood in the context of past and future use and therefore include present time to within the last 25 years, which considers cultural values, cultural transmission, and intergenerational knowledge transfer. The proposed VCs were shared with the Indigenous Nations identified by the Impact Assessment Agency of Canada (IAAC; formerly the Canadian Environmental Assessment Agency) as potentially affected, through engagement and correspondence regarding the Project and the environmental assessment. Alamos accepted all TLRU information shared and applied spatial data within the corresponding spatial boundaries for each VC baseline condition and effects assessment. The information shared, regardless of temporal boundaries, was considered as relevant baseline data including living memory extending back to the 1940s	**a. Addressed** **b. Addressed**

		and oral traditional from deeper time. b. Information has been obtained from Indigenous Nations through Project-specific TLRU studies and the Indigenous engagement program for the Project has largely served to confirm the selection of spatial and temporal boundaries. TLRU studies completed by Indigenous Nations may identify spatial boundaries in relation to their traditional lands or traditional territories. Project-specific TLRU information has been shared by Marcel Colomb First Nation who applied the spatial boundaries used for the environmental assessment in their study, the Manitoba Metis Federation (MMF), and Mathias Colomb Cree Nation (MCCN), both of whom chose boundaries that differ from the environmental assessment. The MMF and MCCN spatial boundaries are larger. The EIS applied spatial data from the MMF and MCCN TLRU studies within the corresponding spatial boundaries for each VC baseline condition and effects assessment and included data from the temporal boundaries within their TLRU study as baseline conditions. Since boundaries identified by various Indigenous Nations often vary considerably, it is necessary to define consistent spatial boundaries in the EIS based upon the predicted geographic extent of potential effects in order to establish consistent assessment boundaries and permit comparable residual effects characterizations. While physical effects of the Project are not expected to extend beyond the regional assessment area (RAA), information regarding traditional use sites, activities, and resources, including preferred harvesting sites, beyond the RAA are considered where that information has been provided by Indigenous Nations Indigenous input from engagement activities since May 2020 was incorporated into the supplemental filing to the EIS that was provided to IAAC in March 2021.	

		On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. No other changes to the EIS methods or conclusions of the EIS are proposed based on the additional information received. Responses to comments CCN-80, CCN-81, CCN-83, CCN-87, CCN-91, and CCN-101 from Chemawawin Cree Nation; MCCN-51, MCCN-58, MCCN-61, and MCCN-70 from Mathias Colomb Cree Nation; and SDFN-88, SDFN-89, SDFN-91, SDFN-97, and SDFN-114 from Sayisi Dene First Nation were provided by Alamos directly to those Indigenous Nations in February 2021. The direct responses to the Indigenous Nations included the information provided herein (i.e., in this response to IAAC-187) and sought additional comment from the Nations. Alamos' engagement with Indigenous Nations will be on-going for the life of the Project.	

IAAC-189 (MMF-05) 2.3.2.3 Utilities and Infrastructure 3.3.5.12 Sayisi Dene First Nation Appendix 3A Community Engagement Plan Table 1 12.1.4.1 Spatial Boundaries 12.4.2.3 Mitigation for Change in Habitat 12.10 Summary of Commitments 15.4.3.2 Mitigation 17.1.5.1 Spatial Boundaries	a. Calculate the area of unoccupied Crown Land that will be made unavailable for the practice of Aboriginal and Treaty rights due to the Project and all associated activities, including areas where firearms use is prohibited. b. Identify any mitigation (e.g., signage, firearms discharge restrictions) for other VCs that may contribute to reduced access to resources for Indigenous Groups exercising their Section 35 Rights under the Constitution Act, 1982. Consider response to (Round 1 Package 1, IAAC-07) in this response. **c.** Provide a preliminary plan for access to lands beyond disturbed areas for travel routes that will be intersected by the PDA and related infrastructure.	a. The total amount of unoccupied Crown land taken up by the Project Development Area (PDA) — which is the anticipated areas of direct physical disturbance associated with construction and operation of the Project (i.e., the Project footprint) at the Gordon and MacLellan sites and encompasses the immediate areas in which Project activities and components may occur plus a 30 m buffer — is approximately 269 ha (Gordon site) and 888 ha (MacLellan site), respectively. The use of firearms will be prohibited within the PDA (i.e., 269 ha at the Gordon site and 888 ha at the MacLellan site), and access to this area will be restricted and therefore unavailable for the practice of Aboriginal and Treaty rights during construction and operation, and while active decommissioning activities are undertaken. Access to the PDA including areas of unoccupied crown land within the PDA will be unrestricted following decommissioning/closure. The Project was designed to limit the amount of unoccupied Crown land taken up within the Indigenous Rights local assessment area (LAA) (i.e., 0.06% for the Gordon site, 0.2% for the MacLellan site). The Project will largely be on land previously disturbed by historical mining activities. Signs may also be posted prohibiting hunting, the discharge of a firearm or bow or the possession of a loaded firearm on or within 300 metres of the mine for safety purposes under The General Hunting Regulation of The Wildlife Act. As the need for this signage has not yet been determined, and is outside the control of Alamos, it has not been included in the area of unoccupied Crown land where the use of firearms will be prohibited with in the PDA (i.e., 269 ha at the Gordon site and 888 ha at the MacLellan site), provided above. b. Mitigation measures that may contribute to reduced access to resources for Indigenous Nations include: the continuation of controlled access to the Project Development Area (PDA) during the mine life using a security gate and guard house, and by employing on-site security staff; posting warning signs on the access roads and	**a. Addressed** **b. Addressed** **c. Partially Addressed** This response partially addresses the concern as it does effectively identify the areas of land where access may be altered or changed and does endeavour to include access route-based information shared by the MMF through the TK Study. However, it does not provide a plan or measures related to site access and travel routes beyond indicating, "*Exclusive rights for usage refers to Alamos' right to restrict traffic to mine-related vehicles on the access roads from PR 391 to the Gordon and MacLellan sites. Care and control refers to Alamos' responsibility to maintain the mine access roads from PR 391 and to control access to unauthorized traffic by maintaining gates and on-site security at the Gordon and MacLellan sites. Indigenous and public use of these roads will continue to be restricted during construction, operation, and decommissioning/closure. During that time, Indigenous peoples and the public may have to use alternative means other than the site access roads to enter areas beyond the gates, just as they currently do with the existing gates. After mine*

		distribution line right-of-way (ROW) to discourage unauthorized access and snowmobiling due to safety concerns; and implementing traffic control measures, which may include gating approaches to Project access roads. c. Volume 2, Chapter 17, Sections 17.2.14.1 through 17.2.14.14 of the Environmental Impact Statement (EIS) provide baseline details of trails and travelways in the regional assessment area (RAA, Figure 17-1). These data are from Project-specific traditional land and resource use (TLRU) studies from Marcel Colomb First Nation and the Manitoba Metis Federation as well as engagement with other Indigenous Nations identified as potentially affected by the Impact Assessment Agency of Canada (IAAC). No access trails or travelways intersected by the PDA have been identified, therefore no effects on access to lands and resources used for traditional purposes are anticipated. Indigenous input from engagement activities since May 2020 was incorporated into the supplemental filing to the EIS that was provided to IAAC in March 2021. No new information regarding Indigenous cultural and spiritual sites were received and no changes to the conclusions of the EIS are proposed based on the additional information received. Access to the site access roads from Provincial Road 391 (PR 391) will continue to be restricted during construction, operation, and decommissioning/closure of the Gordon and MacLellan sites. Both access roads are currently gated as both are existing historical mine sites so no new access modifications are planned for the access roads, simply a continuation of the current restrictions. Map 1-1 (Volume 1, Chapter 1 of the EIS) shows the location of gates on the existing access roads for the Gordon and MacLellan sites. The spatial extent of access restrictions include the access roads beyond the gates and the site PDAs. Maps 2-1 and 2-2 (Volume 1, Chapter 2 of the EIS) show the spatial extent of the Gordon and MacLellan site PDAs, to which access will be restricted until post-closure. No	*closure, access will no longer be restricted."* What is requested is an indication of how access to lands for potential travel routes and other land-based or harvesting activities will be addressed. In the event that access is not possible or permissible beyond the scope discussed in this response, it will be important for Alamos to make efforts to notify, engage, and if necessary, compensate impacted Manitoba Métis harvesters. If Alamos is uncertain of how to appropriately engage the Manitoba Métis on these matters, we refer them to MMF Resolution No. 8 and invite further engagement with the MMF directly as the existing democratically elected government of the Manitoba Métis in these matters.

		fencing is planned for the perimeter of the Gordon or MacLellan sites. Volume 1, Chapter 2, Sections 2.3.1.2 and 2.3.2.3 of the EIS describe the existing access infrastructure and planned upgrades. Exclusive rights for usage refers to Alamos' right to restrict traffic to mine-related vehicles on the access roads from PR 391 to the Gordon and MacLellan sites. Care and control refers to Alamos' responsibility to maintain the mine access roads from PR 391 and to control access to unauthorized traffic by maintaining gates and on-site security at the Gordon and MacLellan sites. Indigenous and public use of these roads will continue to be restricted during construction, operation, and decommissioning/closure. During that time, Indigenous peoples and the public may have to use alternative means other than the site access roads to enter areas beyond the gates, just as they currently do with the existing gates. After mine closure, access will no longer be restricted.	
IAAC-198 (MMF-27; MMF-28; MMF-30) EIS Summary	**a.** Provide detailed and localized information on MMF's use and occupancy values in the PDA and LAA. If this information cannot be obtained, provide a rationale. **b.** Provide an updated effects assessment, using all information available, to determine Manitoba Métis-specific potential effects, direct and indirect pathways of effects, effects assessment, mitigation measures, and significance of residual effects. Validate the assessment with the MMF.	a. Alamos received an interim Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study (MMTKLUO) from the Manitoba Metis Federation in December 2019 and the final MMTKLUO in March 2020 (Environmental Impact Statement [EIS] Appendix 17A), both of which included the Manitoba Metis Federation's perspective on Métis Rights, claims, and interests. The MMTKLUO documents use by Manitoba Métis Community harvesters within 100 km of the Project (SVS 2020:6). In the final Project-specific Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study, 440 land use and occupancy features were reported within 100 km of the Project sites, with 14 of these features residing with 1 km of the Project Development Areas (PDAs). Information from the interim and final MMTKLUO reports have been considered by Alamos, and where appropriate, incorporated into the EIS (see Volume 2, Chapter 17, Section 17.2.14.4 of the EIS). b. Applicable TLRU information has been incorporated within relevant sections of the EIS and considered against the initial results of the biophysical and socioeconomic VC assessments, including	**a. Not addressed** The proponent correctly refers to the source of their information on the Manitoba Métis' land use and occupancy values however provided no details as to how they have incorporated these values in to the EIS. **b. Not addressed** The proponent did not provide a Manitoba Métis-specific effects assessment using all applicable Manitoba Métis-specific information as was requested and instead refers to sections of the EIS which contain information from the MMTKLUO. As the Project has been identified as having a potential impact on Manitoba Métis rights, claims and interests, further engagement is

		characterization of existing conditions, assessment of potential effects, identification of thresholds and limits, proposed mitigation measures and monitoring, and consideration of cumulative effects. The information provided by Manitoba Metis Federation in their interim and final MMTKLUO was considered in the overview for current use (Volume 2, Chapter 17, Section 17.2.14.4) and contributed to the assessment of residual and cumulative effects Volume 2, Chapter 17, Section 17.4 and Section 17.5 of the EIS. the information provided by Manitoba Metis Federation also considered in the determination of significance in Volume 2, Chapter 17, Section 17.7 of the EIS. Alamos has continued engagement with the Manitoba Metis Federation since the EIS has been filed in July 2020 but has not received any additional information about Manitoba Metis Federation use and occupancy values. Therefore, no updated the effects assessment for Indigenous physical and cultural heritage is required at this time. Indigenous input from engagement activities since May 2020 was incorporated into the supplemental filing to the EIS that was provided to IAAC in March 2021. No changes to the conclusions of the EIS are proposed based on the additional information received. Responses to comments MMF-27, MMF-28, and MMF-30 from the Manitoba Metis Federation were provided by Alamos directly to that Indigenous Nation in February 2021. The direct responses to MMF-27, MMF-28, and MMF-30 included the information provided herein (i.e., in this response to IAAC-198) and sought additional comment from the Manitoba Metis Federation. No further comments have been received from the Manitoba Metis Federation. Alamos' engagement with Indigenous Nations will be ongoing for the life of the Project.	warranted to identify and quantify the potential effects of the Project on the Manitoba Métis - whether direct or indirect, co-develop mitigation measures, assess the significance of residual effects, validate the results of this assessment with the MMF and document these results in the EIS.

IAAC-199 (MMF-01) 2.2.2 In-Design Mitigation 2.2.3 Environmental Protection, Mitigation and Management 4.1 Introduction 8.1.6 Significance Definition 11.1.4.1 Spatial Boundaries 11.4.4.3 Project Residual Effect 12.1.4.1 Spatial Boundaries 17.0 Assessment of Potential Effects on Current Use	a. Update the effects assessment for current use of lands and resources for traditional purposes for each Indigenous Group based on additional engagement, supplementary information and new TLRU studies received. Update the significance criteria, characterization of residual effects, and significance conclusions based on the new information. b. Identify and describe how information from each Indigenous Group was and will be integrated into the assessment, including significance criteria, and updates on the current use of lands and resources for traditional purposes. **c.** Identify and describe any disparity between the views of Indigenous Groups and the proponent on the consideration of Indigenous knowledge (methodology used and the outcomes of the analysis), efforts made to reconcile the disparities, and rationale for conclusions on matters for which disparity in views remains.	a. The assessment of effects on for current use of lands and resources for traditional purposes includes available information obtained from each Indigenous Nation through the Indigenous engagement program for the Project, traditional land and resource use (TLRU) studies submitted to Alamos, the results of a review of publicly available sources, and the results of relevant biophysical and socio-economic valued components (VCs), as directed by the Environmental Impact Statement (EIS) Guidelines, as well as previous project experience. The results of the engagement activities that identified the VCs of importance for each Indigenous Nation are presented in Volume 2, Chapter 19, Table 19-1 of the EIS. As described in Volume 1, Chapter 3, Section 3.1 of the EIS, the Indigenous engagement process for the Project was initiated in 2014 and Alamos has offered many opportunities for input. Prior to the filing of the EIS in May 2020, Alamos shared Project information and provided opportunities for Indigenous Nations engaged on the Project to provide input through: In-person meetings (with Nation members and with Nation leadership). • Telephone calls, letters, text messages and e-mails. • Site tours, workshops, youth activities. • Opportunities to provide input on secondary sources of information used in the environmental assessment. • Public open houses in Lynn Lake and Nelson House. • Participation in virtual meetings with Indigenous Nations hosted by the Impact Assessment Agency of Canada (IAAC). Project-specific TLRU studies from Marcel Colomb First Nation (the First Nation in closest proximity to the Project; Stantec 2018) and the Manitoba Metis Federation (SVS 2020) were submitted to Alamos prior to filing the EIS and information from each TLRU study was considered in the assessment of effects on current use of lands and resources for traditional purposes, as referenced below.	**a. Partially addressed** The Proponent did not reference how information from the MMF, specifically, was considered in the effects assessment on current use of lands and resources for traditional purposes. As a result, we cannot say whether this approach was sufficient and cannot conclude that further updates need to be made to the effects assessment for current use of lands and resources for traditional purposes. We recommend that the Proponent explicitly describe how information received from the MMF was considered in the effects assessment. **b. Addressed** **c. Partially addressed** The Proponent did not engage with the MMF regarding the methodology used and outcome analysis. As a result, it is unclear how the Proponent may have identified disparity between the views of the MMF and other Indigenous Groups. A distinctions-based approach must be taken, in which impacts to VCs and Rights of the Manitoba Métis is directly illustrated.

		Alamos has continued engagement with Indigenous Nations since the EIS was filed. A supplemental filing was submitted to IAAC in March 2021 that includes new information collected from more recent engagement activities (May 2020-December 2020). On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. No other new TLRU studies have been submitted to Alamos by Indigenous Nations and no additional information about current use of lands and resources for traditional purposes has been received by Alamos since the EIS was filed. Therefore, no updates to the assessment of current use of lands and resources for traditional purposes is required and no changes	

		to the conclusions in the EIS are necessary. The EIS predictions regarding the characterization of residual adverse effects on all Valued Components (VCs) and the determinations of significance of residual adverse effects on all VCs remain valid and applicable in consideration of the information received through engagement with Indigenous Nations up to December 31, 2020. Responses to comments CCN-20, CCN-21, CCN-68, CCN-73, CCN-93, CCN-95,CCN-96, CCN-98, CCN-99, CCN-100, CCN-102, and CCN-103 from Chemawawin Cree Nation; MCCN-51, MCCN-58, MCCN-68, MCCN-71, MCCN-72, MCCN-73, MCCN-74, MCCN-75, MCCN-76, MCCN-77, MCCN-78, MCCN-79, MCCN-90 MCCN-91, MCCN-92, and MCCN-94 from Mathias Colomb Cree Nation; MMF-01 from the Manitoba Metis Federation; and SDFN-21 and SDFN-22 from Sayisi Dene First Nation were provided by Alamos directly to those Indigenous Nations in February 2021. The direct responses to the Indigenous Nations included the information provided herein (i.e., in this response to IAAC-199) and sought additional comment from the Nations. Alamos' engagement with Indigenous Nations will be on-going for the life of the Project. **b.** Input from each Indigenous Nation was considered in assessment of current use of lands and resources for traditional purposes to the extent that such information was available to Alamos. Applicable TLRU information obtained through engagement with Indigenous Nations up to May 22, 2020 was integrated with relevant sections of the EIS and considered against the initial results of the biophysical and socioeconomic VC assessments, including characterization of existing conditions, assessment of potential effects, identification of thresholds and limits, proposed mitigation measures and monitoring, and consideration of cumulative effects. Alamos employed a thorough and consistent method for	

		considering TLRU information and concerns raised by Indigenous Nations in the assessment of current use of lands and resources for traditional purposes. Information and concerns gathered by Alamos were reviewed and summarized into the following categories:
		
		• Traditional Ecological Knowledge (TEK)
		  o Hydrogeology (groundwater)
		  o Hydrology
		  o Surface water quality
		  o Fish and fish habitat
		  o Vegetation and wetlands
		  o Wildlife and biodiversity.
		• TLRU
		  o Hunting
		  o Fishing
		  o Trapping
		  o Plant harvesting
		  o Travel
		  o Cultural, spiritual, and ceremonial practices or areas.
		• Project design.
		• Cumulative effects.
		• Location of sites and areas.
		• Proposed mitigation measures
		
		The purpose of this summary was to categorize applicable TLRU information within relevant EIS categories to identify the most relevant TLRU information so that it may be more effectively considered. The summary was used to facilitate the inclusion of TLRU throughout the assessment of current use of lands and resources for traditional purposes, including the methodology, characterization of existing conditions, assessment of potential effects, identification of thresholds and limits, proposed mitigation	

		measures and monitoring, and consideration of cumulative effects. The TLRU information included in Volume 2, Chapter 17 of the EIS reflects information available at that time. On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. As stated above no additional TLRU studies or TLRU information has been made available to by Alamos since the EIS was filed. Alamos' ongoing engagement with Indigenous Nations from May to December 2020 (presented in the March 2021 supplemental filing on engagement activities) identified no effects that have not already been addressed in the EIS and therefore, additional mitigation measures are not necessary.	

		c. Efforts to reconcile areas of disparity may occur, generally, through the provision of Project information, the incorporation of feedback that results in changes to Project planning or mitigation and through commitment to further exploring an issue, concern or recommendation. As stated above in part a. of this response Alamos has offered many opportunities for Indigenous Nations to provide input, including sharing Project documentation and sections of the draft Indigenous or Treaty rights assessment. Alamos received no comments on the methodology used or the outcomes of analysis prior to or following the filing of the EIS. To facilitate reconciliation of any disparities in views related to the information used in the EIS, a supplemental filing document was provided to IAAC in March 2021 providing an overview of the subsequent activities that were conducted by Alamos, between May 22, 2020, and December 31, 2020, to engage the 13 Indigenous Nations that were identified by IAAC as potentially affected by the Project. The key additional concerns and issues raised by Indigenous Nations during the course of the engagement activities conducted between May 22 and December 31, 2020 are summarized in the supplemental filing, along with Alamos' actions to address these additional concerns and issues. Alamos' plans for future engagement activities to be carried out in 2021 are also described for each Indigenous Nation in the supplemental filing. Additionally, Alamos provided Indigenous Nations, who had raised concerns that were addressed in the EIS, with an EIS guidance document in Q1 2021. The purpose of the document was to expand upon information currently contained in Volume 1, Chapter 3, Table 3-8 of the EIS and provide additional context and clarification to assist Indigenous Nations with their review of the EIS and how their nation-specific concerns are addressed therein. The assessment on the effects of the Project on Indigenous and Treaty rights was developed in accordance with the Guidelines for the Development of an Environmental Impact Statement for the	

		Project (the EIS Guidelines) and was also informed by best environmental assessment practices; feedback received from the identified Indigenous Nations potentially affected by the Project; Crown consultation and accommodation reports for recent Projects, and IAAC policy statements (see Volume 2, Chapter 19, Section 19.9.1.5 of the EIS). The information sources for the EIS and its assessment of effects on Indigenous and Treaty rights include information from the Indigenous engagement program for the Project, TLRU studies submitted to Alamos, the results of review of publicly available sources, and the results of relevant biophysical and socio-economic VCs, as directed by the EIS Guidelines, as well as previous project experience. The EIS is not intended to define or delimit existing or asserted Indigenous or treaty rights within a given traditional territory or occupancy area, nor is it intended to provide a complete depiction of the dynamic way of life and systems of knowledge maintained by Indigenous Nations engaged on the Project. For the assessment of current use of lands and resources for traditional purposes (Volume 2, Chapter 17), the EIS adopted a conservative approach that assumes that current use may occur near the Project, even if these activities are not specifically identified by participating Indigenous Nations. The assessment also assumes that the ability to exercise or practice Indigenous or treaty rights, including harvesting rights and integral practices, traditions, and customs, depends on the health and abundance of traditionally harvested species and the continued availability of and access to traditionally used resources, sites and areas. Therefore, the assessment of potential Project-related effects on fish, heritage, wildlife, vegetation, and other VCs linked to traditional activities informed the assessment of potential Project-related effects on current use and on Indigenous and Treaty rights, but were not used as a proxy for the assessment of those rights.	
IAAC-202 (MMF-01)	a. Describe efforts to engage Indigenous Groups, gather views,	a. Engaging Indigenous Nations regarding the methodology in assessing the potential effects of the Project on Section 35 rights	**a. Partially addressed** Section 3.3.5 of the EIS describes efforts

3.2.3 Spatial and temporal boundaries 4.2.2 Community knowledge and Aboriginal traditional knowledge 5.0 Engagement with Indigenous Groups and Concerns Raised 6.6.3 Cumulative effects Assessment	and validate information regarding the methodology in assessing potential impacts of the Project on Section 35 Rights of the Constitution Act, 1982, including views on the selection of VCs and spatial and temporal boundaries. Provide engagement records. b. Identify the following from the perspective of each Indigenous Group: i. VCs related to the Indigenous Group's Section 35 Rights of the Constitution Act, 1982, including potential or established rights, title, and related interests, that may be impacted by the Project; ii. the conditions that are needed to support each VC for the exercise of Section 35 Rights of the Constitution Act, 1982, and how past, current, and reasonably foreseeable activities affect or will affect these conditions; iii. the general (or specific) geographic area where the	are described in Volume 1, Chapter 3, Section 3.3.5 of the Environmental Impact Statement (EIS) and included: letters sent in December 2019 to request verification on the summary of engagement activities and confirmation that Alamos' list of each Nation's interests was correct; Indigenous Nation profiles and EIS reference lists sent in August 2018 and December 2019, for review and comment; meetings with Peter Ballantyne Cree Nation and Marcel Colomb First Nation to review the traditional land and resource use (TLRU) study reports developed for the Project; and information packages sent in April 2020 of the draft of the existing conditions and scope for the Indigenous and Treaty rights assessment each Indigenous Nation and a request for review and feedback on the Nation's exercise of rights and how the Project may affect those rights. Engagement records are provided in Volume 1, Chapter 3, Appendix 3B of the EIS and in the supplemental filing in Appendix A. Indigenous input from engagement activities since May 2020 was incorporated into the supplemental filing to the EIS that was provided to IAAC in March 2021. On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping,	by the proponent to engage with the MMF leadership and discuss procurement opportunities, however, from the response provided, a distinctions-based approach was not employed in efforts to consider impacts to rights, claims and interests of the Manitoba Métis. Additionally, while the proponent acknowledges the TLRU (SVS 2020) does extend to 100 km beyond the project site location, not demonstrate how it incorporated this information in the establishment of spatial or temporal boundaries. **b.** **i. Addressed** **ii. Addressed** **iii. Not addressed** The Proponent acknowledges in their response that the EIS "is not intended to define or delimit existing or asserted Indigenous or treaty rights within a given traditional territory or occupancy area". While this is true it fails to capture the intent of the IR, which questions the full geographic range of where Section 35 Rights may be impacted as a result of this project. **iv. Addressed**

	Indigenous Group exercises Section 35 Rights of the Constitution Act, 1982; and iv. how the Project affects each VC identified, related to the Indigenous Groups' exercise of Section 35 Rights of the Constitution Act, 1982. c. Define the criteria identified or validated by each Indigenous Group for assessing the severity of potential Project impacts (positive and negative) on the exercise of Section 35 Rights of the constitution Act, 1982. Criteria could consider: i. the nature of rights ii. regional/historic/cumulative impacts iii. cultural landscape iv. preferred expression of rights d. Provide an analysis on the severity of potential impacts on each VC identified in the EIS and the potential exercise of Section 35 Rights of the Constitution Act, 1982, for each Indigenous Group.	fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. No changes to the EIS methods or conclusions of the EIS are proposed based on the additional information received. Responses to comments CCN-03, CCN-07, CCN-10, CCN-12, CCN-13, CCN-15, CCN-17, CCN-24, CCN-55, CCN-67, CCN-86, CCN-104, CCN-105, CCN-106, CCN-107, CCN-113, CCN-119, CCN-122, and CCN-124 from Chemawawin Cree Nation; MCCN-12, MCCN-13, MCCN-14, MCCN-16, and MCCN-93 from Mathias Colomb Cree Nation; MMF-01 from the Manitoba Metis Federation; and SDFN-03 SDFN-07, SDFN-10, SDFN-11, SDFN-12, SDFN-13, SDFN-14, SDFN-15, DFN16, SDFN-18, SDFN-19, SDFN-26, SDFN-63, SDFN-75, SDFN-119, SDFN-120, SDFN-121, SDFN-122, SDFN-123, SDFN-135, SDFN-138, SDFN-140, SDFN-142, SDFN-149, and SDFN-150 from Sayisi Dene First Nation were provided by Alamos directly to those Indigenous Nations in February 2021. The direct responses to the Indigenous Nations included the information provided herein (i.e., in this response to IAAC-202) and sought additional comment from the Nations. b. The information sources for the assessment of effects on Indigenous and Treaty rights, including VCs related to Indigenous and Treaty rights, conditions required to exercise those rights, and pathways of effects of the Project on those rights include information from the Indigenous engagement program for the Project, TLRU studies submitted to Alamos, the results of a review of publicly available sources, and the results of relevant biophysical and socio-economic valued components (VCs), as directed by the	**c. (i.- iv.) Not addressed** The Proponent in their response does not demonstrate that Indigenous Nations commented or validated the criteria used for assessing severity of potential project impacts as defined by Section 19.9.1.5 of the EIS. While the proponent does outline feedback provided by the MMF, this information was focused on correcting errors in terminology and misalignment with Resolution 8, rather than the evaluation criteria. **d. Not addressed** The Proponent in their response references Section 19.9.1.5 of the EIS, as an assessment of impacts to each VC and the exercise of Section 35 Rights, however, an aggregate assessment of impacts such as this does not provide a meaningful characterization of impacts to the Manitoba Métis or individual Indigenous Groups. A distinction- based approach must be taken, in which impacts to VCs and Rights of the Manitoba Métis is directly illustrated. **e. Not addressed** The Proponent fails to describe how the MMF was engaged regarding the evaluation of the project's potential impacts to VCs and Section 35 Rights. It is unclear how concerns of the Manitoba Métis were considered and influenced this

	Describe impacts that have not been fully mitigated or accommodated as part of the EA. Provide engagement records with Indigenous Groups related to this topic. e. identify and describe disparity between the views and conclusions of Indigenous Groups and the proponent regarding the severity of the Project's potential impacts to Section 35 Rights of the Constitution Act, 1982, efforts made to reconcile the disparities, and rationale for conclusions on matters for which disparity in views remains. f. Describe mitigation measures that specifically address potential impacts to the Section 35 Rights of the Constitution Act, 1982, to each Indigenous Group. Include any commitments that would seek to avoid, mitigate or reduce potential impacts to the rights of Indigenous peoples.	EIS Guidelines, as well as previous project experience. (i) The results of the engagement activities that identified the VCs of importance for each Indigenous Nation are presented in Volume 2, Chapter 19, Table 19-1 of the EIS. As described in Volume 1, Chapter 3, Section 3.1 of the EIS, the Indigenous engagement process for the Project was initiated in 2014 and Alamos has offered many opportunities for input. Prior to the filing of the EIS in May 2020, Alamos shared Project information and provided opportunities for Indigenous Nations engaged on the Project to provide input through: • In-person meetings (with Nation members and with Nation leadership). • Telephone calls, letters, text messages and e-mails. • Site tours, workshops, youth activities. • Opportunities to provide input on secondary sources of information used in the environmental assessment. • Public open houses in Lynn Lake and Nelson House. • Participation in virtual meetings with Indigenous Nations hosted by the Impact • Assessment Agency of Canada (IAAC). (ii and iv) Information packages were also sent in April 2020 of the draft Indigenous and Treaty rights assessment (existing conditions and scope) with a request for review and feedback on the Nation's exercise of rights and how the Project may affect those rights. Manitoba Metis Federation provided feedback. The feedback received is presented in Volume 2, Chapter 19, Section 19.9.1.6 of the EIS. Additional feedback received after the EIS filing (May 2020-December 2020) on the assertion of rights included feedback from Sayisi Dene First Nation and is presented in the March 2021	evaluation. **f. Partially addressed** The Proponent in Section 19.11 of the EIS does identify several project specific mitigation measures. While these mitigation measures serve as a foundational starting point, the full description and implementation of mitigation measures must be tailored to impacts to Section 35 Rights as identified by the MMF. We require that the Proponent continue direct discussions with the MMF to ensure that impacts are adequately avoided, mitigated or accommodated, and that mitigation measures as they are to be implemented are appropriate to address the concerns of the MMC.

		supplemental filing. The results of other engagement activities on concerns about their exercise of rights is presented in Volume 1, Chapter 3, Table 3-8 of the EIS and the Section 3 of the March 2021 supplemental filing. Marcel Colomb First Nation and Manitoba Metis Federation also provided TLRU studies, presented in Volume 2, Chapter 17, Appendix 17A. The concerns on Indigenous and Treaty rights recorded from the Indigenous engagement to date have included: effects of water and subsequent effects to vegetation, wildlife and fish affecting harvesting activities, effects of dust on surrounding vegetation and habitat, effects to caribou and caribou migration which is an important species for harvesting, effects on trapping activities, effects on other harvesting activities from increased workforce in the area, effects to sensitive species and increased invasive species, aesthetic, air quality, and heritage concerns affecting cultural and resource harvesting activities, and effects to access of resources and areas to exercise rights. These concerns were integrated with the biophysical and socioeconomic VC assessments and subsequently, the assessment of Indigenous and Treaty rights in Volume 2, Chapter 19, Sections 19.9.3.1 to 19.9.3.12. (iii and iv) However, the EIS is not intended to define or delimit existing or asserted Indigenous or treaty rights within a given traditional territory or occupancy area, nor is it intended to provide a complete depiction of the dynamic way of life and systems of knowledge maintained by Indigenous Nations engaged on the Project. The assessment assumes that the exercise of traditional activities depends on the health and abundance of traditionally harvested species and the continued availability of and access to traditionally used resources, sites and areas. Therefore, the assessment of potential Project-related effects on fish, heritage, wildlife, vegetation, and other VCs linked to traditional activities informed the assessment of potential Project-related effects on	

		current use and on Indigenous and Treaty rights, but were not used as a proxy for the assessment of those rights. A supplemental filing document has been provided to IAAC providing an overview of the subsequent activities that were conducted by Alamos, between May 22, 2020 and December 31, 2020, to engage the 13 Indigenous Nations that were identified by IAAC as potentially affected by the Project. The key additional concerns and issues raised by Indigenous Nations during engagement activities conducted between May 22 and December 31, 2020 are summarized in the supplemental filing, along with Alamos' actions to address these additional concerns and issues. Alamos' plans for future engagement activities to be carried out in 2021 are also described for each Indigenous Nation in the supplemental filing. No new information regarding assessment of impacts to Indigenous and Treaty rights has been received by Alamos since the EIS was submitted and therefore, no updates to the assessment of Indigenous and Treaty rights, including effects to VCs related to Indigenous and Treaty rights, conditions needed to support the exercise of Indigenous and Treaty rights, or geographic area where Indigenous and Treaty rights are exercised are necessary. c. (i, ii, iii, iv) The criteria used in the assessment of Indigenous and Treaty rights is described in the EIS in Volume 2, Chapter 19, Section 19.9.1.5 and the analysis on the impacts on Indigenous and Treaty rights is presented in Volume 2, Chapter 19, Section 19. 19.9.3. The assessment on the effects of the Project on Indigenous and Treaty rights was developed in accordance with the EIS Guidelines for the Project and was also informed by best environmental assessment practices; feedback received from the identified Indigenous Nations potentially affected by the Project; Crown consultation and accommodation reports for recent Projects, and the Impact Assessment Agency of Canada (IAAC)	

		policy statements (See Volume 2, Chapter 19, Section 19.9.1.5 of the EIS). The assessment of Indigenous and Treaty rights (existing conditions and scope) was sent to Indigenous Nations engaged on the Project in April 2020 for feedback and comment. The feedback received is presented in Volume 2, Chapter 19, Section 19.9.1.6 of the EIS; however, this feedback did not include comment on the method or approach to the assessment. Additional feedback received after the EIS filing (May 2020- December 2020) is presented in the March 2021 supplemental filing and included information from Sayisi Dene First Nation; that was generally approving of the overall approach although contended that specific information from Sayisi Dene First Nation was lacking. In addition, a conservative approach was used in the EIS. The EIS assumes that current use may occur near the Project, even if these activities are not specifically identified by participating Indigenous Nations. The assessment also assumes that the exercise of traditional activities depends on the health and abundance of traditionally harvested species and the continued availability of and access to traditionally used resources, sites and areas. d. An analysis on the severity of impacts on the potential exercise of Indigenous and Treaty rights is presented in Volume 2, Chapter 19; Section 19.9.1.5. Alamos has summarized the nature and extent of potential impacts on the rights of Indigenous peoples using the criteria established for the VCs relevant to this assessment (i.e., Current Use, Heritage Resources, and Human Health). This approach is informed by best environmental assessment practices; feedback received from potentially affected Indigenous Nations; recent Crown consultation and accommodation reports; and IAAC's Policy Context: Assessment of Potential Impacts on the Rights of Indigenous Peoples and Interim Guidance: Assessment of Potential Impacts on the Rights of Indigenous Peoples (Government of Canada 2020a; 2020b). Using these criteria, the assessment is presented in Section 19.9.3 and assumes that the exercise of	

		traditional activities depends on the health and abundance of traditionally harvested species and the continued availability of and access to traditionally used resources, sites and areas. Therefore, the assessment of potential Project-related effects on fish, heritage, wildlife, vegetation, and other VCs linked to traditional activities informed the assessment of potential Projectrelated effects on current use and on Indigenous and Treaty rights but were not used as a proxy for the assessment of those rights. Residual effects on Indigenous and Treaty rights for each Indigenous Nation is presented in Volume 2, Chapter 19, Section 19.9.3 of the EIS. Engagement records are presented in Volume 1, Chapter 3, Appendix 3B of the EIS and in Appendix A of the March 2021 supplemental filing. Information packages were sent in April 2020 to each Indigenous Nation engaged on the Project, which included a draft of the Indigenous and Treaty rights assessment (existing conditions and scope), for review and comment. e. As noted in the letter of comments on the EIS from Chemawawin Cree Nation dated October 9, 2020 and letter of comments on the EIS from Sayisi Dene First Nation dated October 7, 2020, there is a disparity in views related to the methodology used for the assessment of Indigenous and Treaty rights, and subsequently, a disparity in views on the conclusions of these assessments. This disparity is largely related to the view that the assessment of Indigenous rights is required in the assessments of biophysical valued components, that insufficient community-specific information was received, and a view that methodology should consider requirements under the IAA, 2019 such as gender-based analysis. The assessment on the effects of the Project on Indigenous and Treaty rights was developed in accordance with the EIS Guidelines for the Project and was also informed by best environmental assessment practices; feedback received from the identified Indigenous Nations potentially affected by the Project; Crown consultation and accommodation reports for recent	

		Projects, and IAAC policy statements (see Volume 2, Chapter 19, Section 19.9.1.5 of the EIS). Efforts to reconcile areas of disparity that may remain with respect to consideration of Indigenous and local knowledge and concerns raised by Indigenous Nations may occur, generally, through the provision of Project information, the incorporation of feedback that results in changes to Project planning or mitigation and through commitment to further exploring an issue, concern or recommendation. A supplemental filing has been provided to IAAC providing an overview of the subsequent activities that were conducted by Alamos, between May 22, 2020 and December 31, 2020, to engage the 13 Indigenous Nations that were identified by IAAC as potentially affected by the Project. The key additional concerns and issues raised by Indigenous Nations during the course of the engagement activities conducted between May 22 and December 31, 2020 are summarized in the supplemental filing, along with Alamos' actions to address these additional concerns and issues. Alamos' plans for future engagement activities to be carried out in 2021 are also described for each Indigenous Nation in the supplemental filing. Alamos responded to all individual Nation comments on the EIS in February 2021. The information sources for the EIS and its assessment of effects on Indigenous and Treaty rights include information from the Indigenous engagement program for the Project, TLRU studies submitted to Alamos, the results of a review of publicly available sources, and the results of relevant biophysical and socioeconomic valued components (VCs), as directed by the EIS Guidelines, as well as previous project experience. Additional information from engagement is also provided in the March 2021 supplemental filing. On June 3, 2021, Mathias Colomb Cree Nation provided an Indigenous Knowledge and Use Study (TLRU Report) specific to the Project to Alamos for consideration in the planning and regulatory	

		process for the Project. The report is composed of Traditional Land and Resource Use (TLRU) and Traditional Ecological Knowledge (TEK) information as well as recommended mitigation measures presented by Mathias Colomb Cree Nation. Overall, the information provided by Mathias Colomb Cree Nation in the TLRU Report serves to confirm the assumptions made in the EIS regarding the nature and extent of Indigenous traditional use in relation to the Project. The information shared by Mathias Colomb Cree Nation is consistent with the EIS, which was based on a conservative assumption that TLRU activities (including hunting, trapping, fishing, and plant gathering, use of trails and travelways, use of habitation areas, and use of cultural and spiritual sites) occur near the Project. Stantec's response to the TLRU Report is provided in Appendix B. This response reflects the most up to date information available to Alamos from Indigenous Nations. Finally, Alamos is committed to ongoing engagement with Indigenous Nations. Alamos will engage with Indigenous Nations regarding the design and implementation of Project follow-up and monitoring programs, including evaluation of program results, and subsequent updates to the program. Alamos will discuss planned monitoring activities with directly-affected Indigenous Nations and provide opportunities for Indigenous Nations to participate in these follow-up and monitoring programs. f. Key mitigation measures to be implemented that may serve to avoid or reduce potential effects on the ability to exercise Indigenous or Treaty rights are presented in Volume 2, Chapter 19, Section 19.11 of the EIS and include: • Avoidance of plant harvesting sites in the PDAs through Project design, timing, and scheduling.	

		• Incorporation of plant species of interest to Indigenous peoples into rehabilitation plans where appropriate and technically feasible. Implementation of the mitigation measures outlined for the Vegetation and Wetlands (Volume 2, Chapter 11 of the EIS), Land and Resource Use (Volume 2, Chapter 15 of the EIS), Fish and Fish Habitat (Volume 2, Chapter 10 of the EIS), and Wildlife and Wildlife Habitat (Volume 2, Chapter 12 of the EIS) VCs. • Mitigation to changes in access to lands and resources currently used for traditional purposes through; timing of Project activities, potential scheduling of construction, signage, and engagement with Indigenous Nations to identify potential alternate routes of access. • Ongoing engagement with Indigenous Nations regarding their concerns, mitigation of potential Project effects on traditional land and resource use, and potential monitoring, as well as consideration of mitigation measures proposed by Indigenous Nations. • Ongoing engagement with Indigenous Nations involved on the Project, including discussion of development and implementation of Project-specific environmental management and monitoring plans. • Project design for engaging local land and resource users and for implementing Project construction work schedules and prohibiting Project employees from bringing firearms of fishing gear to work sites. • Commitments made in Volume 1, Chapter 9, Section 9.9.2 of the EIS to implement surface water monitoring and management plans will also serve to mitigate potential health risks. • Design for community services, infrastructure and well-being, including work site security to offset demands on local police, implementation of a Traffic Management	

		Plan, bussing services for Project employees, and workforce education programs to raise awareness regarding potential worker effects on host communities. • Development of a plan for working with Indigenous-owned businesses to enhance their potential for successfully bidding on Project contracts regarding the supply of goods and services. • Alamos will continue to work towards potential training and education partnerships with Manitoba Keewatinowi Okimakanak Inc. and the Northern Manitoba Sector Council to provide opportunities for Indigenous people to obtain skills and training required for Project participation. • Alamos will continue to engage with Indigenous Nations in supporting the development and promotion of cultural sensitivity training. • Alamos will work with Indigenous Nations to develop training programs oriented to Project operational needs. • Education of construction contractors for the appropriate protocols if heritage or cultural resources, or objects thought to be heritage or cultural resources, are discovered. • Training of staff in the recognition of archaeological features and objects such as precontact Indigenous material culture, and 19th and 20th century Euro-Canadian material culture. • Potential for the hiring of Indigenous field support staff as part of an environmental monitoring team.	

4.0 Summary and Recommendations

A focused review was conducted of the Proponent's responses to the MMF's Information Requests within Information Request Round 1, Package 3 for the Alamos Lynn Lake Gold Project based on our understanding of the MMC's rights, claims, and interests, and potential Project interactions with the environment that may lead to effects on Manitoba Métis rights, claims, and interests. In our review, we have identified two (2) Information Requests that have been addressed, one (1) Information Requests that we believe the Proponent has not addressed, and an additional five (5) Information Requests that we believe the Proponent has either only partially addressed or has not fully addressed in its entirety. Where we require the Proponent to provided further information, we have provided specific recommendations to address our concerns.

In general, we still find significant gaps in the collection of baseline information, inadequate consideration of the Project's impacts on Manitoba Métis-specific rights, claims and interest, and a lack of sufficient detail within the Proponent's responses to our Information Requests related to how Alamos interpreted and applied the Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study.

The Manitoba Métis will be impacted by this project as evidenced through our Manitoba Métis Traditional Knowledge, Land Use, and Occupancy Study for the Project. In addition to providing additional information as requested in Section 3.2, the MMF requests that Alamos meaningfully engage with the MMF early in the Project's review process to accomplish the following tasks:

- Tailor project mitigations and avoidance strategies to be in alignment with a distinctions-based approach that recognizes the unique rights, claims and interests of the Manitoba Métis.
- Provide transparency as to how Manitoba Métis traditional knowledge and land use information has been and will continue to be considered in the Project's assessment and lifecycle operations.
- Ensure that the MMF has opportunities to determine the completeness of the proponent's socio-economic baseline information related to the Manitoba Metis early in the assessment process, and to provide sufficient resources and time for the MMF to collect any information it deems applicable should gaps be identified.
- Ensure the proponent has complete information related to species of importance to the Manitoba Métis.

Furthermore, the MMF requests that the Proponent explicitly commit to forming distinctions-based monitoring and advisory committees; one for the Manitoba Métis and one for First Nations, to enable appropriate representation and participation in lifecycle oversight and monitoring for the Project and to ensure the adequate inclusion of Manitoba Metis Traditional Knowledge and Land Use. This would ensure that Métis-specific feedback and values as outlined in the MMF's Traditional Land Use and Occupancy Study are the foundation of managing impacts to valued components over the Project's lifecycle. The Proponent should provide the Manitoba Métis with the opportunity to review data and participate in the ongoing monitoring and management of all water quality and quantity including decision-making process for any substantive changes to the water quality and quantity monitoring on site. This should consist of regular input from Manitoba Métis land users and knowledge holders who can report any substantive environmental changes caused by Project activities. Capacity funding should be provided by the Proponent to enable the MMF to meaningfully participate in ongoing engagement with the Proponent and with Manitoba Métis land users throughout the life of the Project.

In addition to the above recommendations, the MMF submits the following as additional concerns for further conversations with the Impact Assessment Agency of Canada (IAAC) as it relates to its review of the Lynn Lake Gold Project Environmental Impact Statement (EIS) and future projects:

- The shortened review and commenting timelines and unacceptable burden this places on Indigenous groups who are already experiencing capacity and resource deficits, and
- The need for the IAAC to undertake a preliminary screening for response completeness prior to Indigenous groups conducting their review to ensure a more transparent level of information exchange as to how project impacts will be assessed and mitigated.
- IAAC should consider the MMF's assessment of Proponent responses to Information Request Round 1, Package 3, as well as our August 19, 2021 submission of response to Package 1 and Package 2, to inform Round 2 of the technical review of the Project's EIS.

Finally, the MMF expects ongoing engagement with the Proponent throughout all aspects of the Project which may impact the rights, interests, and claims of the Manitoba Métis.

5.0 References

Shared Value Solutions. (2020). *Manitoba Métis Traditional Knowledge Land Use and Occupancy Study for the Lynn Lake Gold Mine Project.*

Stantec. (2020a). *Lynn Lake Gold Project Environmental Impact Statement - Summary of the EIS.*

Stantec. (2020b). *Lynn Lake Gold Project Environmental Impact Statement Volume 1.*

Stantec. (2020c). *Lynn Lake Gold Project Environmental Impact Statement Volume 2.*

Stantec. (2020d). *Lynn Lake Gold Project Environmental Impact Statement Volume 3.*

Stantec. (2020e). *Lynn Lake Gold Project Environmental Impact Statement Volume 4.*

Stantec. (2020f). *Lynn Lake Gold Project Environmental Impact Statement Volume 5.*