

Attachment 1: Guiding Questions**Suncor Base Mine Extension Project**

Canadian Impact Assessment Registry File No.: 80521

Indigenous Group: Whitefish Lake First Nation			
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Potential Effects and Impacts

1. Please identify any effects of the Project that are of concern to your community. Also please identify any effects that you are aware of that are not listed in the initial project description. *Note: Information on effects and direct and incidental effects as well as effects within federal jurisdiction are defined in section 2 of IAA¹.*

Whitefish Lake First Nation (“**Whitefish**”) is a signatory to Treaty No. 8 territory. However, the land impacted by the Suncor Base Mine Extension Project (the “**Project**”) was not only used historically by members of our Nation – it continues to be used by members today to exercise our Aboriginal and Treaty rights. Our Nation has members currently living near Wandering River, south of Fort McMurray. These members engage in traditional and cultural practices in the area, including hunting, trapping, and gathering. Additionally, other Whitefish members often frequent the Project area in order to hunt.

The cumulative impact of extensive development and resource extraction projects such as this current Project are of utmost concern to Whitefish. This cumulative impact has already resulted in significant changes to the Project area, leaving Whitefish members living in this area with no alternative but to move further away. Activities such as these have impacted our use of the land for cultural and traditional purposes, namely by reducing the availability of land on which we can exercise our rights and engage in cultural practices. The Project would only further contribute to this cumulative impact, altering the land on which we can engage in our practices and impacting the health and abundance of resources we rely upon to exercise our rights.

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2. Please describe how the potential effects of the Project could result in changes to your community’s:

(a) physical and cultural heritage (e.g. ceremonial sites, burial sites, cultural landscapes)

We are not currently aware of any such sites in the vicinity of the Project. However, Nations near Whitefish are known to have historically engaged in nomadic practices whereby Nation members were buried at their site of death upon having passed away during travels. As such, the Project proponent should ensure steps are being taken to protect against damage to burial sites during Project construction.

As requested later in this questionnaire, a Traditional Land Use and Resource Study would assist our Nation in better understanding how the land in the vicinity of the Project was used by our

¹ A link to IAA text can be found here: <https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations.html>

ancestors, and thus to what extent there may be a risk of impact to our physical and cultural heritage.

(b) current use of lands and resources for traditional purposes (e.g. hunting, fishing, trapping)

With the cumulative impact of development in the area, the Nation's ability to use the land for traditional and cultural practices is being further and further impacted. As was previously mentioned, despite being a signatory to Treaty No. 8 territory, some Whitefish members currently reside in areas within the immediate vicinity of the Project south of Fort McMurray. These Nation members use the land and its resources to engage in traditional practices, including hunting, trapping, and gathering. Even Whitefish members who are not living in the immediate vicinity of the Project continue to use land in the Project area for traditional purposes. Members travel far distances to hunt, and thus frequent the Project area.

Whitefish is concerned about the impact of this Project on the health and vitality of the wildlife they rely upon in the Project area and in its vicinity. There has already been a cumulative impact on wildlife integral to the Nation's practices from environmentally damaging projects in the area. The health and vitality of wildlife is being negatively impacted by disruptions and emissions resulting from these types of projects, leading to observed depletions in animal populations. As such, encounters with healthy animals have been drastically limited. The construction and operation of the Project would only further these effects, increasing the cumulative impact we have already observed.

(c) structures, sites or things of historical, archaeological, paleontological or architectural significance (e.g. artifacts, important historic buildings or symbols)

Due to Whitefish's historical use of the land within the Project area, artifacts and items of archaeological significance are likely to exist in the area. However, as was previously mentioned, the Nation requests support for a Traditional Land Use and Resource Study to be conducted in order to better understand the potential presence and abundance of structures, sites, or objects of historical and archeological significance to the Nation within the Project area.

3. Please describe how the Project may result in changes (both positive and negative) to your community's :

(a) health, social or economic conditions (e.g. employment opportunities, easier access to goods and services, economic development, accessibility to health-care services);

Our Nation would be open to engaging with the Project proponent in order to develop opportunities for community members to be employed by the Project activities and yield other economic benefits. Such prospects would help improve the social and economic conditions currently faced by our Nation.

That being said, the Project could have significant adverse impacts on the health of our members. Whitefish has already observed a decline in fish and water quality, contributing to higher rates of cancer within our community and nearby communities. Additionally, our Nation exhibits an

increased incidence of disease and comorbidity, which may be related to the high presence of developments in the area. Steps need to be taken to ensure that the construction and operation of the Project do not further exacerbate the health impact felt by our community as a result of this and other projects.

(b) Indigenous knowledge, indigenous language or indigenous culture.

4. Please describe how the Project may result in any change (positive or negative) to :

- (a) the intersection of sex and gender with other identity factors (would there be effects to different sub-groups within your community, identified based on factors such as gender, age, race, religion etc.. For example, to women, youth, elders);

Whitefish men, women and children stand to be impacted by this Project, as we all use the land within the vicinity of the Project. We would like to be involved in ensuring that the Project, if approved, can be developed in a way which mitigates continued and adverse impacts to our Treaty rights. By reducing the cumulative impacts of development, we can ensure that older generations of Whitefish members still have the ability to transfer their knowledge about the exercise of our rights to our youth.

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- (b) sustainability, considering, for example, the interconnectedness and interdependence of human-ecological systems and the well-being of present and future generations.

As was previously mentioned, our Nation has big concerns regarding the cumulative impacts of the development and resource extraction projects in and around our territory. Collectively, these projects lead to impact to our air quality, environmental systems, water quality, and health of wildlife. These impacts have significant downstream effects on our Nation's members. Our cultural and traditional practices, as well as our health and wellbeing, depend on the health of the environment around us and the quality and abundance of resources available to us. The impacts of the Project would only further contribute to the cumulative effects we already observe.

5. If you expect the Project may impact your community's rights as protected under section 35 of the *Constitution Act, 1982*, please describe how.

As was articulated elsewhere in this questionnaire, we have identified that we believe the Project will have significant direct, adverse and cumulative impacts to our Aboriginal and Treaty rights, including our Treaty rights to hunt, trap and fish within our territory. We refer you to other parts of our submission regarding details as to how our exercise of these rights stands to be impaired by the Project.

Approach to Consultation and Engagement

6. If a federal impact assessment is required for the Project, the Agency will be developing a draft Indigenous Engagement and Partnership Plan and, if applicable, will contact you to seek your comments. Please provide information on how you would like to be consulted by the Agency (for example, does your community have specific cultural practices, traditions or protocols, etc.).

All communications should go through Fabian Grey with a copy to our legal counsel. All meetings or engagements related to this Project should involve tobacco offerings, and open and close with prayers conducted by our Elders.

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7. Please also provide your views on how you would like the proponent to engage your community during all phases of the Project.

Whitefish seeks deep consultation in respect of the Project, and would like to be engaged throughout the entirety of Project. Our Nation is very interconnected with the land being impacted by the Project, and thus faces detrimental changes as a result of the Project that need to be assessed. We would like to be involved in these assessments, and to ultimately be able to contribute towards deciding how the land is rehabilitated.

We currently have a reduced capacity to properly examine and assess how the Project affects and impacts our Aboriginal and Treaty rights. Support for a Traditional Land Use and Resource Study would aid us in properly examining and understanding which of our rights and interests stand to be impacted by the construction and operation of this Project, and what steps can be taken to prevent or reduce such impact.

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8. If a federal impact assessment is required for the Project, the Agency will act as the Crown Consultation Coordinator and will be responsible for implementing the Duty to Consult. Do you have any views on how the Agency should work with your community in relation to the assessment of impacts on the rights of your community, as protected under section 35 of the *Constitution Act, 1982*?

The Impact Assessment Agency of Canada (“IAAC”) and the Project proponent should engage and consult with Whitefish in order to ensure our section 35 rights are being respected and impacts to them mitigated. Doing so will involve developing an understanding of the strength and precise nature of Whitefish’s Aboriginal and Treaty rights, and ensuring Project practices and methods respect these rights. Additionally, steps should be taken to ensure proper plans are in place to assess the impact of all phases of the Project on the rights of our members. Our full involvement in the IAAC process will, in our view, put the Crown partially in a position to discharge the significant consultation obligations which we feel are owed to Whitefish.

When engaging with Whitefish, the IAAC and the Project proponent should provide sufficient time for Nation members to consult with community members, including Elders. All voices should have the opportunity to be heard in order to ensure Project impacts are being properly identified, understood, and mitigated against, as much as is feasible. Providing ample time for consultation and engagement will also help ensure the Indigenous Knowledge our community members hold is properly understood and integrated into Project assessment and planning.

