



**Beaverhouse First Nation Community**

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**Upper Beaver Gold Project  
Impact Assessment Agency of Canada  
55 York Street, Suite 600  
Toronto, Ontario M5J 1R7**

**UpperBeaver@iaac-aeic.gc.ca**

**Dear Spencer Roth, Crown Consultation Coordinator**

**RE: Comments to the Agnico Eagle Upper Beaver Gold Project Initial Project Description; Reference Number: 82960**

On behalf of Beaverhouse First Nation (BHFN), I am writing to comment on the Initial Project Description for the Agnico Eagle Mining (AEM) Upper Beaver Gold Project (the Project). The Project is to develop, operate and eventually reclaim a new open-pit and underground gold and copper mine and processing facility. The underground mine and associated surface facilities are proposed to be placed on lands held by Agnico Eagle, utilizing and/or expanding on the advanced exploration facilities present.

Beaverhouse is an old settlement located on a peninsula of Misema Lake; members use the Misema River system extensively for traditional, cultural, sustenance, spiritual and socio-economic needs. There is no direct road access, and the settlement is accessible only by boat in the summer and snowmobile in the winter. Beaverhouse First Nation has unextinguished indigenous title to these lands as Beaverhouse was not included as a community in the Treaty #9 document of 1906 nor in adhesions in 1929 and 1930. BHFN is recognized by other First Nation organizations and is part of the Wabun Tribal Council, Nishnawbe Aski Nation, Chiefs of Ontario and the Assembly of First Nations. BHFN is currently seeking status recognition from both the federal and provincial governments for their traditional territory. The First Nation band office is located in Kirkland Lake, Ontario.

The Project is situated in a critical area within BHFN's Traditional Area, within 5 km of the community's physical settlement and in the heart of the land which members activity use today. The Project can result in a range of environmental, socio-economic and socio-cultural effects, impacting the lands and resources used for cultural, traditional and everyday purposes.

BHFN is highly concerned about the location, scope and potential implications of this proposed Project. Regardless of the design, site layout and equipment used, this Project will have significant direct

and indirect impacts on the BHFN way of life. Members actively use the area for hunting, harvesting and gathering. Activities associated with travel, teaching and knowledge sharing also occur where the Project footprint is proposed. The water of the Misema River system, the creeks, lakes and channels are used by members for fishing, travel and knowledge sharing.

Historic mining operations in the BHFN traditional land have left a legacy of contamination, tailings and abandoned mining infrastructure throughout the territory. BHFN members have been burdened with the presence and effects of these legacy impacts. They are concerned that this proposed Project will further contribute to degradation and change of the environment, land, water, earth and air, thus impacting our cultural heritage, traditional practices and way of life.

The proposed Project footprint will result in land disturbances and loss; additional clearing, filling of wetlands and creeks and loss of wildlife habitat will be needed to accommodate the proposed construction and footprint expansion. Traditional Land Use (TLU) and Indigenous Knowledge (IK) studies have yet to be completed for the Project and surrounding area. These studies will further inform the proponent and the Impact Assessment Agency of Canada (IAAC) of the magnitude of BHFN sites, values, and areas of interest on the footprint and the surrounding area. Through engagement activities associated with exploration activities and pre-planning efforts for the proposed Project, BHFN has informed the proponent of sacred and significant sites, areas of traditional importance and use on and surrounding the Project. The IPD alludes to very few of these culturally significant sites, values and areas of interest and evades the magnitude they will be impacted or potentially destroyed.

As there is no road access to the settlement, members often use snowmobiles by route of the Indian Trail and frozen areas of the Misema River to access settlement in the winter. The Indian Trail, also referred to as the Traditional Trail in the IPD, has been used for generations by BHFN members. Sites of cultural and traditional value and importance are found along the trail. With the approval of the Project development, a portion of the Indian Trail will be overprinted and lost, impacting BHFN's traditional travel route and cultural heritage.

Active exploration activities are currently being heard and felt by members residing in the settlement; blasting and drilling activities are highly audible and physically felt by those members in their homes. With the approval of the Project, the frequency and potential magnitude of noise and vibration disturbance from mining operations are anticipated to continuously impact the well-being of members within the settlement and those practicing traditional activities on the land. There is concern that harvesting and hunting will be affected by the direct and indirect Project impacts on wildlife. Changes in wildlife movements, reproductive success and habitat availability can adversely affect the livelihoods of BHFN members.

Concerning the proposed Project design, BHFN is not in favour of dewatering York Lake and diversion of the Misema River. BHFN's traditional values, interests, practices, and pre-historic Indigenous sites within

the immediate vicinity of the proposed open-pit will be directly and indirectly impacted by land disturbance for the pit, the diversion of the River and physical changes with the water system. BHFN actively uses the water resources both upstream and downstream of the proposed Project, and dewatering of York Lake and diverting the Misema River will impact members' traditional and cultural sites, interests and practices.

Fish species are of significant importance to the members of BHFN, and degradation of populations and destruction of habitat supporting biological attributes will impact BHFN's ability to practice their Indigenous rights. Water resources must be protected as the members of BHFN use the Misema River system, adjacent lakes and those connected downstream, including South Grassy Lake Outwash Conservation Reserve. The water quality of the Misema River system is already impacted by historic mining activities and existing infrastructure and tailings. Further contribution to contamination and degradation of the water resources by effluent discharge, seepage or leaching of paste backfill used in underground workings throughout the life of the proposed Project will have direct and indirect impacts on BHFN rights and way of life.

The IPD notes that the Project has the potential to impact Indigenous people's community health, well-being, use of lands and resources and ways of life and culture. BHFN wishes to emphasize and reiterate that these impacts will occur from this proposed Project and potentially be exacerbated due to the various other resource exploration and development projects in the area. As such, the Project's contribution to cumulative effects must be considered extensively and not overlooked.

The influx of temporary contractors and permanent workers who are expected to reside in local communities will provide immediate economic benefit to the local area but may also impact the general well-being of BHFN members living off the settlement. Northern communities have chronic limitations to available services, and there is concern that additional individuals accessing these services will strain the system, impacting current residents. Ensuring the social well-being and safety of Indigenous members residing in and off the community will need to be addressed. Systemic racism is real and observed within the region and will need to be mitigated.

## **Comments on preferred participation in the federal process**

BHFN would like to work with the IAAC and AEM to gather adequate and appropriate information concerning BHFN rights and traditional culture. This information is critical to fully capture and assess the effects of the proposed Project and understand the impacts that will result on BHFN traditional and cultural rights.

Consultation and engagement that is clear and transparent is an important commitment for all Indigenous communities. BHFN requires that the commitment to engagement as well as respect for

traditional land-use practices, values and areas of interest be upheld and executed in the federal process throughout the life of the Project. Notification of engagement activities must be provided in advance to ensure BHFN Chief and Council have adequate time to arrange with community members. Further, the review time and the engagement approach related to the Project must acknowledge and respect the community's stance regarding COVID-19.

Finally, BHFN is willing to participate as a constructive participant in the engagement process, Project review and consultation process established for the Project. BHFN believes this role is necessary to fulfill the consultation requirements.

BHFN wishes to participate in all relevant technical working groups or committees associated with planning the proposed Project to ensure that traditional rights and interests are protected. As such, BHFN expects appropriate funding to be allocated for their active participation in the federal process to ensure that their involvement can guide the process in the most effective and valuable way possible.

Sincerely,

Jamie A. Hennessey  
Lands Manager  
Beaverhouse First Nation

Cc Chief Wayne Wabie  
Beaverhouse First Nation Council  
Darren Harper, President/CEO Maawandoon  
Stacy Gan, Environmental Manager Maawandoon