



Beaverhouse First Nation Community

**P.O. Box 1022
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14 March 2022

Spencer Roth Crown Consultation Coordinator

Upper Beaver Gold Project

**Impact Assessment Agency of Canada Government of Canada E-mail:
upperbeaver@iaac-aeic.gc.ca**

RE: BEAVERHOUSE FIRST NATION COMMENTS ON IAAC'S TAILORED IMPACT STATEMENT GUIDELINES AND INDIGENOUS ENGAGEMENT AND PARTNERSHIP PLAN

Beaverhouse First Nation has had the opportunity to review the Impact Assessment Agency of Canada's (IAAC's) Tailored Impact Statement Guidelines (TISG) and Indigenous Engagement and Partnership Plan (IEPP) for the proposed Agnico Eagle Mines Ltd. Upper Beaver Gold Project (the Project).

As you are aware, the Agnico Eagle Upper Beaver Project lies within the heart of Beaverhouse First Nation's Traditional Territory and is heavily impacted by the project. Our community's home base is located 2.5km from the historical argonaut mine, the current advanced exploration and the proposed operations. All, which has directly impacted and will continue to impact our community and its archaeological sites, ceremonial sites, burial sites, trails, hunting, fishing and trapping grounds.

It is recommended that the Impact Assessment Agency take into consideration the additional projects surrounding the Upper Beaver Project and determine the impacts this will have on our community and our Aboriginal rights. It is also recommended that the Impact Assessment Agency take into account the current permits that other ministries are approving, thus allowing further impacts to occur during a period of time when impacts are supposed to be assessed by your agency.

We appreciate the effort the Impact Assessment Agency has made to the development of these reports. Beaverhouse First Nation looks forward to hearing your response to our comments. Please feel free to contact Lands department at landsmanager@beaverhousefn.com if you would like to discuss Beaverhouse First Nation's comments further. Please find our comments attached.

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Beaverhouse First Nation Lands Department



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Beaverhouse First Nation Indigenous Engagement and Partnership Plan Comments

<p>1) Section 1 Introduction</p> <p>The Agency indicates that “to complement this IEPP, interested Indigenous communities may develop community-specific consultation plans, in collaboration with the Agency, to describe the community’s specific objectives for consultation, or any unique features of the impact assessment and consultation process pertaining to that community”</p>	<p>Recommendations:</p> <ul style="list-style-type: none"> • The Agency should provide direction on the next steps for co-development of a community-specific consultation plan with Bhfn and make all reasonable efforts to ensure this plan is collaboratively developed with us before authorizing the proponent to proceed with the Impact Statement phase.
<p>2) Section 3. Objectives of Indigenous engagement and partnership</p> <p>Include Indigenous knowledge, if provided, in the assessment of potential effects and impacts of the Project and impacts on the exercise of Aboriginal or Treaty rights, and explain how Indigenous knowledge was considered or used in the assessment</p>	<p>Recommendations:</p> <ul style="list-style-type: none"> • Indigenous knowledge should always be used in the assessment and not only considered. • Clarity on how FN’s are to validate use of Indigenous Knowledge • Specify what it means for Indigenous knowledge to be “considered”. This should not be left to the proponent to determine. • An Indigenous review panel should be established, that include varied ages of indigenous youth and elders from different nations, that can understand indigenous knowledge and how it will be applied throughout the process.
<p>3) Section 2. Description of the proposed Project</p> <p>Within this section it states “a mine life of about 16 years”</p>	<p>Recommendations:</p> <ul style="list-style-type: none"> • This timeline is not an accurate representation of mine life in this area, as Agnico has properties currently being explored on for future integration into the upper beaver project. • The proponent plans for developing properties located around the upper beaver project, such as the Upper Canada and McBean, these plans should be taken into account, as they will expand to these outer properties thus extending the mine



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	<p>life and incurring additional impacts to the surrounding environments.</p> <ul style="list-style-type: none"> ● Proponents with additional properties located within close proximity to any project should be taken into consideration during an Impact Assessment. Determine if these sites have any current or upcoming exploration plans/permits and determine how proponent will integrate these into the immediate project, as these projects will increase the overall impact to environment and aboriginal rights ● The life of a mine can last a few years to a few decades, but the footprint it leaves on the landscape can be permanent – This proposed mine will change the land forever. The amount of culturally significant land that has already been lost to the historical mining can never be regained and we still feel the effects from this to this day. The newer mine will impact any remaining sites that were not historically ruined. It will affect archaeological sites and the ability to visit these sites in ceremony, hunting/trapping sites have been impacted and will continue to be impacted. It is recommended that the Impact Assessment Act Section 22(1) in it's entirety be applied to the review of this project and the surrounding areas. ● Destruction of an environment is easier to prevent than to repair
<p><u>Section 5. Engagement and consultation tools, and methods</u></p> <ul style="list-style-type: none"> ● In this section it states “Due to COVID-19, the Agency intends to plan virtual meetings until in-person meetings are deemed appropriate ● Providing clear information on available funding, impact assessment process 	<p><u>Recommendations:</u></p> <ul style="list-style-type: none"> ● Virtual meetings do not constitute meaningful consultation or engagement, as many Elders and Community members do not have access to internet nor own the tools needed to participate. ● Given the proximity of the project to the Beaverhouse Community as well as the negative implications of the project on



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<p>timelines, and the workload expected of Indigenous communities to ensure meaningful participation and consultation;</p> <ul style="list-style-type: none">● Communicating with Indigenous communities in an ongoing, open, and transparent manner;	<p>the BHFN traditional territory it is essential that community members and elders have sufficient access to meeting with the various representatives dedicated to the project for meaningful consultation with Indigenous Communities to occur.</p> <ul style="list-style-type: none">● The agency should offer alternate means such as mobile units with internet access computers.● Create a survey that targets all issues/concerns that indigenous people face, which can be chosen and expanded upon.● The agency should reach out more often via phone/email, rather than the communities having to pursue the information needed or scheduling meetings, etc.● While the extremely aggressive timelines pursued by the proponent and the Agency proceed, it is our perception that the current impact assessment, including the early planning phase, was designed less to protect aboriginal rights and title and the environment we depend upon and more to expedite a major development. Therefore, we find the current government-run and proponent-driven impact assessment system seriously flawed.● We request, accordingly, a process which is designed and conducted to support meaningful Indigenous input and an adequate degree of control by indigenous communities — on our own terms and with our own approval.● Timelines must be reconsidered to allow for indigenous communities, most of whom are lacking the capacity to properly and meaningfully consult with their community membership and review the multitude of documents.
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	<ul style="list-style-type: none"> The comment periods limits the ability of public and Indigenous communities to adequately learn about the project, consider it's potential impacts and provide the Agency with their best advice with respect to the project information provided to date, and what information might be lacking; initiating the Impact Assessment process with this very limited comment period sends a very negative message about the value that the Agency places on public and Indigenous participation and could very well discourage participation throughout the review
<p>Table 1 – Table of Indigenous engagement approaches and activities <i>Planning Phase Objectives</i></p> <ul style="list-style-type: none"> Support understanding of the proposed Project Provide Indigenous communities funding to support participation during the Planning Phase Increase Indigenous communities awareness of the impact assessment process and meaningful participation 	<p>Recommendation:</p> <ul style="list-style-type: none"> The agency should reach out to affected indigenous communities more often throughout the process to help identify what the community requires and to help guide communities throughout the process. This includes more than an email notifying indigenous communities that documents have been posted to registry and an email to schedule a community meeting, which leaves insufficient time for community members to review any documents and provide meaningful responses and concerns. The agency should make opportunity for funding known further in advance and offer to help with the application. The indigenous community can accept or deny this assistance, dependent upon their situation.
<p>Section 3 - Objectives of Indigenous Engagement and Partnership (Page 4) <i>A news article titled “Nunavut mining companies defend environmental management despite stiff criticism” was released on March 21st 2021, by CBC news regarding Agnico Eagle’s mining operations in Nunavut. The above article states the following; “The idea was that there's going to</i></p>	<p>Recommendation:</p> <ul style="list-style-type: none"> This depiction of Agnico Eagle’s relations with local Indigenous Communities is concerning. The lack of transparency that is being recorded by the Inuit and community organizations regarding the Meadowbank Mine is of concern to BHFN. The issue of Indigenous



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<p><i>be deliberation, consultation, opportunities for consensus, but that's not what's occurring," she said. Instead, Inuit and community organizations don't feel heard because mining companies are not obligated to take the advice and input from local experts, she said. There is a "huge imbalance" in the working group's process, Tagoona added.</i></p> <p><i>While the industry hires consultants who are dedicated to the process, Inuit hunters and community members on the working groups do not have the same expertise, time or resources on their side, she said"</i></p>	<p>communities not being adequately consulted with is an issue at the forefront of concerns regarding Indigenous Knowledge and consultation. If this history were to repeat itself, it would be detrimental to Indigenous Communities involved in the Upper Beaver Project as well as the working relations with stakeholders.</p> <ul style="list-style-type: none"> ● Renew relations with the Inuit and community organizations that have been impacted by Agnico Eagle's Meadowbank Mine. This will instill a sense of integrity when considering BHFN's consultation process with Agnico Eagle. To prove that Agnico is dedicated to listening, understanding and integrating Indigenous Knowledge would be an action taken to positively renew its relations with Indigenous communities. Continue to remain transparent and proactive in Agnico's consultation approach with Indigenous communities by integrating these concerns into the Indigenous Engagement and Partnership Plan
<p><u>Section 3 - Objectives of Indigenous Engagement and Partnership (page 4)</u></p> <p><i>"Meaningfully engage with Indigenous communities regarding Indigenous knowledge they may wish to apply when considering potential effects and impacts of the Project and impacts on the exercise of Aboriginal or Treaty rights by referring to the Indigenous Knowledge Framework and guidance documents".</i></p> <p><i>"Encourage Indigenous communities to share Indigenous knowledge and expertise early in the impact assessment process to facilitate its integration into key documents such as the proponent's Impact Statement;"</i></p>	<p><u>Recommendation:</u></p> <ul style="list-style-type: none"> ● Indigenous knowledge is not being meaningfully integrated into the Impact Assessment. The spirituality and importance of the traditional territory in which the Upper Beaver Project is located is being listened to but not understood by proponents and therefore is not being integrated into the Upper Beaver project or the Impact Assessment phase of the project. The proponent and the agency should be required to take part in an Indigenous led training or information session to learn about the significance of the spiritual aspects of the land



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<p><i>“Include Indigenous knowledge, if provided, in the assessment of potential effects and impacts of the Project and impacts on the exercise of Aboriginal or Treaty rights, and explain how Indigenous knowledge was considered or used in the assessment;”</i></p>	
<p><u>Section 5 - Engagement and Consultation Tools, and Methods</u> <i>“Any in-person meetings would happen in accordance with local and provincial health guidelines, and would only occur at the request of, and with consent from the Indigenous community”</i> Concern: Despite this above statement, there have been no attempts on behalf of IAAC or representatives from the Upper Beaver Gold Project to host in person meetings in accordance with local and provincial health guidelines since the Covid-19 lockdown which began in December of 2021.</p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Have proponents and IAAC schedule in person meetings following capacity limits and provincial health guidelines would allow for meaningful in person consultation with Indigenous communities. Consultation with Indigenous Communities is essential work and should be seen as such when considering the Covid-19 pandemic. Rent out spaces in community centers to allow for in person consultation. If in person consultation is not available due to Covid-19 health restrictions, mobile units (ie: trailers) should be deployed in accessible locations fixed with internet connection, devices and a representative to aid community members and elders with access to zoom meetings.
<p><u>Section 5 - Engagement and Consultation Tools, and Methods</u> <i>“Holding technical meetings with Indigenous communities and the proponent and/or expert authorities to support Indigenous communities’ technical review of key documents and participation throughout the impact assessment process while considering timelines and capacity of Indigenous communities”</i></p>	<p>Recommendation:</p> <ul style="list-style-type: none"> • Have IAAC staff dedicated to consultation with Indigenous Nations take a more proactive approach when consulting with indigenous communities. Have a regularly scheduled meeting time (ie:bi-weekly) where IAAC reaches out to BHFN to hold meetings regarding project updates and new documents posted to the registry. This would also allow BHFN to ask questions regarding the IAAC assessment process and the Upper Beaver Gold Project.



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