



October 1, 2024

VIA EMAIL TO  
sarah.thacker@iaac-aeic.gc.ca and  
vistamine-minevista@iaac-aeic.gc.ca

Impact Assessment Agency of Canada  
Prairie and Northern Region  
Canada Place  
1145-9700 Jasper Avenue  
Edmonton, AB T5J 4C3

**Attention: Sarah Thacker, Project Manager, Prairie and Northern Region**

Dear Madam:

**RE: Designation Request for the Proposed Vista Coal Mine Phase II Expansion Project and the Vista Underground Mine Project under the Amended *Impact Assessment Act***

I am writing in reply to your letter of September 11, 2024 inviting Enoch Cree Nation ("ECN") to share with the Impact Assessment Agency of Canada ("IAAC") any concerns or interests ECN has regarding the Vista Coal Mine Phase II Expansion Project (the "Project").

ECN is a signatory to Treaty 6 and we are holders of Treaty and Aboriginal rights, enshrined in s. 35 of the *Constitution Act, 1982*.

ECN is comprised of members of primarily Cree ancestry with over 2500 members residing on-reserve and many more off-reserve. Our reserve lands, allocated to Chief Lapotac in 1886, are located 15km west of the City of Edmonton and our members use the lands and resources throughout our Traditional Territory. The Plains Cree way of life has always been rooted in use of the natural environment along with a 'sense-of-place' within our Traditional Territory. We are stewards of our heritage and traditional lands with a purpose of preserving the past while our Nation moves forward with society. ECN recognizes and protects our traditional lands based on an economic and spiritual relationship between the ECN and the environment.

ECN's Traditional Territory extends from the Peace River in the north to Rocky Boy, Montana in the south and from Mount Robson in the west to Red River, Manitoba in the east -- our Traditional Territory encompasses the Project area. These traditional lands encompass areas of habitation, ceremony, burial grounds, hunting, trapping, fishing, gathering and ancient sites. Our members presently use these traditional lands for medicine gathering, hunting, gathering, and for ceremonial purposes. Our traditional lands have been used by our people since time immemorial and are inherently connected to the future of our people.

Please see Enclosure 2 (attached) provided in response to IAAC's specific questions regarding effects and impacts of the Project.



ECN takes no position with respect to designation of the Project. However, should the Project be designated under the *Impact Assessment Act*, ECN wishes to participate fully in that assessment process.

Hiy-hiy,

**Maskêkosihk**

Per:

DocuSigned by:  
<Original signed by>  
1007234B98A0422...

**OKIMAW CODY THOMAS**

cc: Consultation Office, Enoch Cree Nation

**Enclosure 2: Guiding Questions for Vista Coal Mine Phase II Expansion Project Designation Request**

**Please respond by October 1, 2024**

**Designation Request for the Proposed Vista Coal Mine Phase II Expansion Project under the *Impact Assessment Act***

**Potential Effects and Impacts**

1. Please describe whether and how the potential adverse 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)

- Due to numerous factors impacting the nation directly (noise pollution, air pollution, etc.) it is getting increasingly more difficult to practice ceremonies within the reserve boundaries. We have heard stories of numerous elders, knowledge holders and band members opting towards practicing ceremony near Hinton & Jasper. Specifically, our Culture department often does fasting & culture camps on a portion of land (near Athabasca Ranch Public Use Zone) in close proximity to the mine.

---

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

- Enoch Cree Nation is extremely impacted by the amount of industry near our borders and within our traditional territory as we have not had access to our Treaty right to harvest on-reserve with the expedited sprawl of Edmonton's west end, a number of historical forced surrenders and amalgamations with other disbanded reserves has resulted in Enoch Cree Nation's land mass dwindling while our population continues to rise. Wherever you look in Enoch Cree Nation there is either a road, wellsite, residential dwelling, business or public building; rendering the use of long-range rifles for large game futile within our reserve boundaries. Enoch Cree Nation is a small reserve in comparison to others that are near large cities and towns; we are only comprised of 51.55 km<sup>2</sup> (19.90 sq mi) in total, with an approximate population density of 38.8 persons per square kilometre.

In particular, Industry and human activity (human waste, domestic waste, illegal dumping, etc.) around our borders has impacted us so severely that our members do not feel comfortable harvesting and consuming plants within the boundaries of our reserve. Additionally, due to these impacts on our harvesting rights we cannot harvest on reserve, we are essentially forced to go at minimum 1.5 hours outside of our reserve boundaries to be able to harvest anything safely. Furthermore, the crown land within Treaty Six only amounts to about 2% in total, which is continuously developed on within Oil & Gas and many other industries. When plots of crown land are developed in favor of resource extraction projects, we ultimately lose the right to harvesting in that area for our lifetime.

The crownland near Hinton is often utilized for traditional harvesting efforts (medicines/wild game) by our active hunters, however, with the impacts detailed, it is becoming increasingly more difficult to access for our nation.

---

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

---

2. 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);

Positive: Potential for economic/employment opportunities

Negative: Impacts to access to traditional foods & ultimately, comorbidities associated with eating a western pattern diet (diabetes, gallbladder issues, obesity, fatty liver, etc.). Mental health impacts from restricted access to land-based culture & access to ceremony. Men & women who could potentially find employment with Vista Mines could be subject to short term and chronic health conditions from coal-mining conditions.

---

---

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

- Due to the constraints aforementioned, we have suffered greatly from this loss of our land-based culture. From our long history of losing access to our right to harvest on reserve (starting as early as the late 1970's) due to forced surrenders, band amalgamations and westward urban sprawl of Edmonton's West end, we are now experiencing a gap in knowledge acquisition from one generation to another. Traditionally, we were able to teach our youth how to hunt & pick but now there are only about 5 active hunters and about 15 elders who no longer hunt due to how difficult it is to access. We try our hardest with culture camps & other initiatives however, they have been difficult to regularly practice with our current restricted access to hunting.

---

3. 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);
- Positive: Could provide economic opportunities for young families, youth and adults of all genders. Providing a greater standard of living. Oftentimes families on-reserve live in multi-generational homes and contribute to the overall wellbeing of their families, including their elders (grandparents, great grandparents).

Negative: Could negatively affect female youth/adults; work camps/other lodging near or close to reserve lands often results in solicitation of sex work of young women experiencing poverty, addiction, and/or adverse experiences from intergenerational trauma. Additionally, racism is unfortunately rampant in numerous industries, often harboring animosity towards our people of all ages, however, young men and women are normally subject to this type of treatment.

---

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

- In terms of sustainability, we understand that coal mining has great impacts on our environment; as Nehiyaw (Cree people), we depend greatly on our land-based culture for our survival. Impacting the water, soil and air have long-standing impacts that can lead towards the degradation of our entire ecosystem. There are a number of chemicals that can leech off of the mine through a number of pathways such as particulate matter in our air or through waterways, posing a threat to our overall health & wellbeing.

---

4. 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 a member of Treaty Six, we expect a number of impacts to our rights, as protected under Section 35 of the Constitution, specifically our Treaty right to Harvest (as mentioned at-length in previous questions):

"Her Majesty further agrees with Her said Indians that they, the said Indians, shall have right to pursue their avocations of hunting and fishing throughout the tract surrendered as hereinbefore described, subject to such regulations as may from time to time be made by Her Government of Her Dominion of Canada, and saving and excepting such tracts as may from time to time be required or taken up for settlement, mining, lumbering or other purposes by Her said Government of the Dominion of Canada, or by any of the subjects thereof duly authorized therefor by the said Government."

As mentioned earlier, our restricted access to our traditional diet results in comorbidities associated with our consumption of a western pattern diet of high fats, carbs & sugars. Aside from physical ailments, restricted access to our traditional territory, traditional foods and knowledge systems has greatly impacted our overall mental and spiritual health, with many First Nations, including Enoch Cree Nation are experiencing overwhelming amounts of crisis situations and suicides within our communities.

"That in the event hereafter of the Indians comprised within this treaty being overtaken by any pestilence, or by a general famine, the Queen, on being satisfied and certified thereof by Her Indian Agent or Agents, will grant to the Indians assistance of such character and to such extent as Her Chief Superintendent of Indian Affairs shall deem necessary and sufficient to relieve the Indians from the calamity that shall have befallen them."

---

Impact Assessment Agency of Canada  
1145-9700 Jasper Avenue, Edmonton,  
Alberta T5J 4C3  
Email: [pnr-rn@iaac-aeic.gc.ca](mailto:pnr-rn@iaac-aeic.gc.ca)