



Impact Assessment
Agency of Canada

Ontario Region
600-55 York Street
Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

Région de l'Ontario
600-55 rue York
Toronto ON M5J 1R7

January 31, 2022

Sent by email

Councillor Justin Roy
Kebaowek First Nation
P.O. Box 756
Temiscaming QC J0Z 3R0
<Email address removed>

Dear Councillor Justin Roy:

Subject: Notice of Comment Period on the Draft Tailored Impact Statement Guidelines and Draft Indigenous Engagement and Partnership Plan and Request for Input by March 12, 2022

Thank you for your continued participation in the planning phase of the federal impact assessment for the Upper Beaver Gold Project (the Project).

The objective of this letter is to:

- inform you that the Impact Assessment Agency of Canada (the Agency) is conducting a public comment period from January 31, 2022, to March 12, 2022;
- invite input from your community on the draft Tailored Impact Statement Guidelines (**Enclosure 1**) for the Project;
- invite input from your community on the draft Indigenous Engagement and Partnership Plan (**Enclosure 2**) to guide consultation planning for the federal impact assessment;
- invite your community to identify any aspects of the environmental, health, social, and economic conditions that are of value to your community, and any existing studies or plans that could inform the assessment of the Project;
- inform your community of an upcoming meeting invitation; and
- inform your community that Participant Funding Program Grants are now available.

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Development of Impact Assessment Planning Documents

On December 21, 2021, Kebaowek First Nation received notice from the Agency that a federal impact assessment is required for the Project. The Agency has developed the draft versions of the Tailored Impact Statement Guidelines and Indigenous Engagement and Partnership Plan, influenced by comments received during the first comment period on the Project, held from September 13, 2021, to October 4, 2021. Drafts of the following documents are posted on the Canadian Impact Assessment Registry Internet site (the Registry) at <https://iaac-aeic.gc.ca/050/evaluations/proj/82960>:

- Tailored Impact Statement Guidelines
- Indigenous Engagement and Partnership Plan
- Public Participation Plan
- Permitting Plan
- Cooperation Plan

Your community is now invited to provide comments to enable the Agency to finalize the Tailored Impact Statement Guidelines and the Indigenous Engagement and Partnership Plan to help define the scope, content and conduct of the federal impact assessment.

Comment Opportunity and Collaborative Development of Documents

Drafts of the Tailored Impact Statement Guidelines and Indigenous Engagement and Partnership Plan are enclosed with this letter for your review and consideration. The Agency is conducting a 40-day public comment period from January 31, 2022, to March 12, 2022, to seek input from potentially impacted Indigenous groups.

Your input is requested by March 12, 2022.

In order to facilitate the collection of comments within your community, the Agency has prepared the following enclosed documents:

1. The worksheet (**Enclosure 3.1**) is designed to help community members identify any aspects of the environmental, health, social and economic conditions that are important to your community (valued components).

Comments would be used to inform the finalization of the Tailored Impact Statement Guidelines. These guidelines provide direction to Agnico Eagle Mine Limited on: the factors to be considered; the methodology to be followed; and information requirements in order to guide preparation of the Impact Statement.

The Agency also welcomes receiving information on any existing study or plan prepared by an Indigenous community that is relevant to the region within which the Project is proposed. Obtaining this information early in the planning phase will help inform the Tailored Impact Statement Guidelines.

2. A series of maps (**Enclosure 3.2**) of the project area which you can refer to when completing the worksheet.
3. Comments provided by your community will be used to inform the finalization of the Indigenous Engagement and Partnership Plan as well as a community-specific consultation work plan, should it be requested.

The Agency requests that comments be submitted using the “submit a comment” feature available on the Registry (Reference No. 82960 at <https://iaac-aeic.gc.ca/050/evaluations/proj/82960>). Attachments can also be uploaded using this feature. If you have any questions or difficulties submitting this way, please contact the Agency for assistance using the contact details provided below.

IMPORTANT NOTE: Any information submitted to the Agency to inform this project assessment will be made publicly available as part of the project file, and may be posted online via the Canadian Impact Assessment Registry (Reference #82960), subject to certain exceptions related to privacy, security or confidentiality. The Agency’s Submission Policy (<https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>) describes what submitted information can be shared publicly, and what should remain private. For further information on how we protect your privacy, please refer to the Privacy Notice (<https://www.iaac-aeic.gc.ca/050/evaluations/protection?culture=en-CA>).

Indigenous Knowledge shared in confidence is protected from disclosure under section 119 of the *Impact Assessment Act* (IAA), except if written consent is provided. Also, the Indigenous knowledge shared in confidence could be shared with certain parties if the information is publically available, or if disclosure is necessary for procedural fairness and natural justice. Should you wish to provide any comments or documents that contain confidential or sensitive information

that should be protected from release to the public, please contact Spencer Roth at 647-355-7318, or at upperbeaver@iaac-aeic.gc.ca **before** submitting the information. This will ensure that your submission is handled appropriately. Note, that the Agency will consult with you prior to disclosing Indigenous knowledge shared in confidence under an exception.

Pursuant to the *Information and Management of Time Limits Regulations*, the Agency is required to post finalized versions of each of these plans by April 20, 2022.

During this comment period, the Agency will also seek input from the public on the draft Public Participation Plan, federal authorities on the draft Permitting Plan, and the Province of Ontario on the draft Cooperation Plan.

Invitation to participate in a Meeting with the Agency

The Agency will be inviting your community to a virtual meeting during the comment period. The Agency looks forward to answering any questions you may have about the above-noted impact assessment documents and to discuss consultation planning specific to Kebaowek First Nation.

COVID-19 Pandemic

The Agency recognizes that it is challenging to undertake meaningful public engagement and Indigenous consultation in light of the COVID-19 pandemic. To ensure the continuity of its operations during the COVID-19 pandemic, the Agency put in place virtual and online mechanisms that have enabled staff to work closely with Indigenous groups and communities, the public, proponents and stakeholders, ensuring that their engagement needs were met as best as possible during this time.

The Agency is continuing to provide virtual options to manage training needs and current public engagement and consultations. Adjustments to assessment timeframes are also being considered on a case-by-case basis and in accordance with the authorities under the IAA. Given the public health advice of federal and provincial authorities, the Agency is still temporarily suspending face-to-face meetings with proponents, stakeholders and community members.

The Agency continues to provide flexibility around its engagement, consultation and training activities, and will reassess in-person meetings once it is safe to do so. Any updates or consultation plans will continue to be posted on the Agency's website and on the Registry.

Participant Funding Program Grants

Kebaowek First Nation is now eligible to receive a second grant of \$5,000.00 to support your continued participation in the planning phase of the federal impact assessment, including your review and comment on the draft documents noted above.

The Agency's Funding Program Officer will be in touch with you shortly to confirm your interest in receiving this grant, and to outline the eligible costs and activities. If you have any questions or concerns, please contact Marjolaine Masionneuve, Senior Funding Officer, at *marjolaine.masionneuve@iaac-aeic.gc.ca*.

Following the planning phase, the Agency will offer additional funding, through a contribution agreement, to support the participation of Kebaowek First Nation throughout the subsequent phases of the federal impact assessment process.

Please feel free to contact me at 647-355-7318 or at *upperbeaver@iaac-aeic.gc.ca* if you have any questions. I welcome the opportunity to work collaboratively with your community.

Sincerely,

<Original signed by>

Spencer Roth,
Crown Consultation Coordinator
Impact Assessment Agency of Canada

Enclosures: 1: Draft Tailored Impact Statement Guidelines
2: Draft Indigenous Engagement and Partnership Plan
3.1: Worksheet on Valued Components
3.2: Maps of the project area

c.c.: Chief Lance Haymond, Kebaowek First Nation
Karen Young, Kebaowek First Nation
Rosanne Van Schie
Marjolaine Masionneuve, Impact Assessment Agency of Canada