

## **Enclosure 1: Summary of information on potential impacts of the Crawford Nickel Project on the Métis Nation of Ontario (Region 3)**

This **draft** document was prepared by the Impact Assessment Agency of Canada (the Agency) following the conclusion of the Planning Phase for the Crawford Nickel Project (the Project). The purpose of this document is to set out the Agency's preliminary understanding of the **potential** impacts of the Project on the Métis Nation of Ontario (Region 3). The Tailored Impact Statement Guidelines for the Project identifies all the valued components the Proponent will be required to study during the preparation of its Impact Statement. As additional information about impacts of the Project that are specific to the Métis Nation of Ontario (Region 3) becomes available throughout the impact assessment process, this document will be updated, and will inform the Proponent's studies and the impact assessment.

### **The Proposed Project**

*Canada Nickel Company (the Proponent) is proposing an open-pit nickel-cobalt mine and metal mill, located 43 kilometres north of Timmins, Ontario. Based on available information, the "project area" includes:*

- *a large mine site footprint of > 5000 ha, including open pits, waste rock piles and a tailings management facility, predominantly within the North Driftwood River and West Buskegau River watersheds (the "mine site");*
- *relocation of Highway 655 and existing 500 kV transmission line to the west of the mine, including approximately 20 km of new right of way;*
- *effluent discharge pipe(s) to locations that may include the Mattagami River downstream of Lower Sturgeon Dam, the North Driftwood River, and the West Buskegau River;*
- *a new rail spur from the proposed mine south to Kidd Mine, following Highway 655; and*
- *transport of ore along an existing rail line between Kidd Mine and Kidd metallurgical site.*

### **Summary of Information Available to the Agency about:**

- a) the nature and extent of the Aboriginal rights of the Métis Nation of Ontario (Region 3);**
  - b) the potential impacts of the Project to the exercise of rights by the Métis Nation of Ontario (Region 3);**
  - c) potential impacts of the Project on health, social, or economic conditions of the Métis Nation of Ontario (Region 3); and**
  - d) potential cumulative changes to the exercise of Aboriginal rights of the Métis Nation of Ontario (Region 3) through time.**
- a) Summary of the information available to the Agency related to the nature and extent of the Aboriginal rights of the Métis Nation of Ontario (Region 3):**
- Citizens of the Métis Nation of Ontario (Region 3) have Aboriginal rights that are recognized and affirmed under section 35 of the *Constitution Act, 1982*.
  - The project area lies within the Métis Nation of Ontario's James Bay/Abitibi-Temiscamingue Traditional Territory, represented by the James Bay/Abitibi-Temiscamingue Traditional Territory (Region 3) Consultation Committee, as per the 2015 Consultation Agreement between the Métis Nation of Ontario and the Government of Canada.

- The project area lies within the area historically inhabited by the Abitibi Inland Historic Métis Community, as jointly identified by the Métis Nation of Ontario and the Province of Ontario in 2017 as a historic Métis community in the province that meets the criteria for the recognition of s. 35 Aboriginal rights provided by the Supreme Court of Canada in *R v Powley*.<sup>1</sup>
- Citizens of the Métis Nation of Ontario (Region 3) have harvesting rights under the Framework Agreement on Métis Harvesting with the Province of Ontario.

**b) Summary of the information available to the Agency on the potential impacts to the exercise of rights by the Métis Nation of Ontario (Region 3) resulting from any change to the environment due to the Project:<sup>2</sup>**

**Potential impacts to physical and cultural heritage**

*Where available, please specify additional information such as location on a map related to the items in bold.*

- Potential impacts to historic and contemporary **cultural sites** present in the project area, due to loss of access to, or changes to the experience at, **preferred sites**.

**Potential impacts to the current use of lands and resources for traditional purposes**

*Where available, please specify additional information such as location on a map or resources used related to the items in bold.*

- Potential impacts to the current use of lands for traditional purposes, including harvesting (**hunting, fishing, trapping, gathering**), **spiritual practices**, and **cultural practices**, due to:
  - the loss of access to, or changes to the experience at, **preferred sites** and **traditional lands** within the mine site; and,
  - negative perceptions of the Project's impacts to air quality, contamination of country foods, increased sound levels (e.g., from blasting, construction, and operation), and changes to the visual environment, resulting in avoidance of the project area by Métis citizens who may exercise s. 35 rights in proximity to the Project.
- Potential impacts to the **use of water** in the project area by citizens of the Métis Nation of Ontario (Region 3) due to potential changes in surface water quality (e.g., from sediment entering the water).
- Potential impacts to **harvesting, fishing, the gathering of plants and mushrooms, and cultural practices** due to:
  - possible changes in water quality at the effluent discharge point; and,
  - the relocation of Highway 655 and the existing 500 kV transmission line through water bodies and wildlife habitat, which has the potential to disturb wildlife corridors, breeding grounds, and overwintering sites.
- Potential impacts to **harvesting** due to the transport of ore and waste along the existing rail line between Kidd Mine and Kidd metallurgical site, resulting in the potential disturbance of wildlife and breeding grounds.

---

<sup>1</sup> See: Government of Ontario, "Identification of Historic Métis Communities in Ontario" (August 22, 2017), available online at: <https://news.ontario.ca/en/backgrounder/45936/identification-of-historic-metis-communities-in-ontario>; Government of Ontario and the Métis Nation of Ontario, "Joint Fact Sheet: Historic Métis Communities in Ontario – The Historic Abitibi Inland Meti Community" (2017), available online at: <https://www.metisnation.org/wp-content/uploads/2017/08/joint-fact-sheet-abitibi-inland-18-august-2017-final.pdf>

<sup>2</sup> The Agency notes that the Métis Nation of Ontario (Region 3) is seeking support from the Proponent to conduct a Traditional Knowledge and Land Use Study in the project area, and that the comments and concerns provided to date by the Métis Nation of Ontario (Region 3) are preliminary in nature.

- Potential impacts to **harvesting** due to changes to experience resulting from increased noise from road and rail traffic.
- Potential impacts to **harvesting** due to increased noise disturbance in **moose calving sites and avoidance of previous harvesting areas**, as well as impacts to habitat and aquatic feeding areas used by moose.
- Potential changes to, or loss of access to, **traditional lands** in the project area.

**Potential impacts to any structure, site, or thing that is of historical, archeological, paleontological, or architectural significance**

- No information is currently available.

**c) Summary of the information available to the Agency on any potential changes to the health, social, or economic conditions of the Métis Nation of Ontario (Region 3) due to the Project:**

- Potential impacts to the health and safety of Métis Nation of Ontario (Region 3) citizens exercising harvesting rights due to increased road and rail traffic.
- Potential impacts to housing costs, impacting low-income citizens of the Métis Nation of Ontario (Region 3).
- Potential decrease in community safety due to the increase in transient workers in the region.

**d) Summary of the information available to the Agency on any potential cumulative changes to the exercise of Aboriginal rights by the Métis Nation of Ontario (Region 3) through time:**

- Potential impacts on traditional practices due to forestry, and past and ongoing mining projects in the surrounding mining districts of Timmins, South Porcupine, and Kirkland Lake.

**FOR ACTION:** The Agency requests that you validate the information set out above and provide any additional information about the impacts the Project may have on the Métis Nation of Ontario (Region 3). Additional details about the nature and extent of potential impacts to the Métis Nation of Ontario (Region 3) or the exercise of rights of the Métis Nation of Ontario (Region 3) may refine our understanding of the potential impacts of the Project, and allow the Agency to adjust its consultation approach, where necessary. In addition, the Agency would like to meet with the Métis Nation of Ontario (Region 3) to discuss the information set out above to better understand how the Métis Nation of Ontario (Region 3) may be impacted by the Project. The Agency encourages the Métis Nation of Ontario (Region 3) to share information with the Proponent to inform the development of the Proponent's Impact Statement.