January 2018

HAMMOND REEF GOLD PROJECT

Aboriginal Interests Technical Support Document

VERSION 3

Submitted to:
Canadian Malartic Corporation
2140 St Mathieu St.
Montreal, QC H3H 2J4

Project Number: 1656263

Distribution:
Sandra Pouliot, Environmental Project Leader

Note: This Version 3 Technical Supporting Document is identical to the Version 2 Technical Supporting Document as provided herein.

December 2013

HAMMOND REEF GOLD PROJECT

Aboriginal Interests Technical Support Document

VERSION 2

Submitted to:
Osisko Hammond Reef Gold Ltd.
155 University Avenue, Suite 1440
Toronto, Ontario M5H 3B7

Project Number: 13-1118-0010
Document Number: DOC012
Distribution:

Alexandra Drapack, Director Sustainable Development
Cathryn Moffett, Project Manager Sustainable Development

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VERSION 2

PART A

Introduction

December 2013
Project No. 13-1118-0010
Hammond Reef Gold Project

ABORIGINAL INTERESTS TECHNICAL SUPPORT DOCUMENT VERSION 2 PART A: INTRODUCTION

Version 1 of the Aboriginal Interests Technical Support Document (TSD) was published on February 15, 2013 as part of Osisko Hammond Reef Gold's (OHRG) Draft Environmental Impact Statement/Environmental Assessment (EIS/EA) Report.

The Draft EIS/EA Report underwent a seven week public review comment period after which, on April 5, 2013 OHRG received comments from the public, Aboriginal groups and the Government Review Team (GRT) seeking clarification and requesting new information.

Approximately five comments regarding the Aboriginal Interests TSD and the Aboriginal Interests component of the EIS/EA Report were received from the GRT. Written responses were prepared for each comment and are provided in Appendix 1.IV of the EIS/EA Report. Additional comments were received from First Nations and the Métis Nation of Ontario.

Version 1 of the Aboriginal Interests TSD has not been revised. Some minor changes and revisions to the Aboriginal component of the EIS/EA Report have been undertaken based on comments received.

Version 2 of the Aboriginal Interests TSD is comprised of the following:

- Part A: Introduction
- Part B: Supplemental Information Package. Formal responses to comments on the Draft EIS/EA Report received from First Nations and the Métis Nation of Ontario.
- Part C: Version 1 of the Aboriginal Interests TSD. Part C was issued in February 2013, and is available online on OHRG's website; it has not been re-printed as part of this Version 2 of the Aboriginal Interests TSD.

Throughout the EIS/EA Report, unless otherwise noted, all references made to the Aboriginal Interests TSD are to Part C. The Project schedule provided in the Aboriginal Interests TSD has been revised slightly as reflected in Chapter 1 of the EIS/EA Report.

First Nations Comments

Comments on the Aboriginal TSD from First Nations related to the traditional use study, the specific statements regarding land use planning, and OHRG's plans to restrict access.

First Nations questioned the representativeness of the traditional land use study results. It should be noted that the community land use surveys were not intended to be statistically representative of the communities at large. OHRG recognizes that traditional land use is important to a good portion of the identified First Nations communities. A random sampling of community surveys was recommended by Professor McPherson when he completed his review of Osisko's approach to gathering Traditional Land Use information. He suggested that the community surveys could be used to further verify information gathered in the individual interviews with the trapline holders and wild rice harvesters as well as the information gleaned through the Elders Forums. The goal of the community surveys and Elders Forums was not to provide a wholesome picture of overall traditional land use, but rather identify specific sites or land use practices that could be affected by the Project. The surveys and Elders Forums are considered sufficient for this purpose.

Lac de Mille Lacs First Nation provided clarification that the Chief and Council are not solely focussed on one reserve, but are committed to repatriating both Reserve 22A1 and 22A2.

OHRG's plan to restrict employee hunting and fishing while at the on site accommodation camp is a concern to Lac de Mille Lacs First Nation, as they feel this could infringe on their Aboriginal and Treaty rights. OHRG does not intend to restrict these activities except when employees are at camp. OHRG recognizes the potential need for further discussions about how this restriction could be applied differently to Aboriginal people.

Métis Nation of Ontario Comments

The Métis Nation of Ontario hired a consultant to conduct a third party review of the Draft EIS/EA Report. Their comments relating to the Aboriginal Interests TSD were focussed on questioning whether input from the Métis Nation of Ontario had been considered during the report writing and assessment.

As outlined in Chapter 7 of the EIS/EA Report, seven meetings took place with the Métis Nation of Ontario Consultation Committee throughout 2012 and 2013. The Métis Nation of Ontario were directly involved in the selection of Valued Ecosystem Components and OHRG has actively solicited feedback from the Committee members at each of the meetings that took place in 2012 and 2013.

OHRG acknowledges that the Atikokan Métis Council is no longer Interim, the figure and text has been corrected in Chapters 2 and 7 of the EIS/EA Report.

Osisko's Commitments

Based on the feedback received during the public review comment period, changes to the Aboriginal component were related to providing further detail on the planned committees, as described in Chapter 8 of the EIS/EA Report. OHRG has also made a new commitment to participate in a local aquatic study including collection of additional samples of fish tissue and benthics with Seine River First Nation in 2014. Osisko is committed to continuing to work with our Aboriginal partners to maximize benefits from the Project. Initiatives to maximize the benefits the Project will have on Aboriginal communities include:

- Scholarships.
- Partnerships with local academic institutions
- On-the-job training.
- A hire local priority policy.
- Targeted employment, training and business opportunities.

The First Nations Resource Sharing Agreement (RSA) Committees have been formed and will continue to meet on a quarterly basis as the Project planning process moves forward.

Throughout the EA planning process, OHRG and the Métis Nation of Ontario (MNO) successfully fulfilled the terms of the Memorandum of Understanding signed in March 2012. This included completing a Traditional Use Study of the area and soliciting ongoing feedback to the environmental effects assessment. OHRG and the MNO are now currently working on finalizing a Shared Interest Agreement that will seek to maximize Métis benefits during the construction and operation of the Project.

Supplemental Information Provided in Part B

- Response to comments from Lac des Mille Lacs First Nation (October 16, 2013)
- Response to Comments from Seine River First Nation (November 8, 2013)
- Letter to Métis Nation of Ontario (December 5, 2013)

ABORIGINAL INTERESTS TECHNICAL SUPPORT DOCUMENT
VERSION 2

PART B

Supplemental Information Package

December 2013
Project No. 13-1118-0010
Hammond Reef Gold Project

OSISKO

October 16, 2013

Chief Judy White Cloud
Lac des Mille Lacs First Nation
1100 Memorial Ave,
Suite 328,
Thunder Bay, ON
P7B 4A3

Dear Chief White Cloud:

Thank you for your comments on March 28, 2013 to Amy Liu of CEAA regarding the Environmental Assessment submitted by Osisko for the Hammond Reef Gold Project. We are pleased to provide the following clarifications in response to your concerns (original questions marked in bold).

With respect to your specific concerns, we offer the following clarifications.

a. **The TSD states on page 36 that Chief and Council are committed to repatriating their land on Reserve 22A2. This should read Reserve 22A1 and Reserve 22A2.**

   The TSD will be corrected to state that Reserve 22A1 and Reserve 22A2 will both be repatriated.

b. **How will Osisko implement the envisioned restricted fishery for camp employees without conflicting with aboriginal treaty rights?**

   The policy regarding restricted fishing for camp employees will not extend to Aboriginal people, unless they are on shift at the mine site or currently staying at the workers accommodation camp.

c. **We believe the bench testing of tailings for acid generation is continuing, if so further information will be requested. This is of the utmost importance long term.**

   Short-term testing has indicated that the tailings are not acid generating. Long-term testing, after (25 weeks) of testing at 2 separate independent laboratories, confirmed it was determined that there is no potential for acid generation and the leachate trends for sulphate and metals are stable with low concentrations. Based on the results, there was no need to continue the humidity cell testing or to conduct further testing. Geochemical testing of generated tailings will be part of the operational monitoring program.

d. **Should there be a 100 year rain storm event. Do land elevations between the two above mentioned bodies negate the possibility of tails pond effluent migration to Long Hike Lake?**

   A natural watershed divide occurs between the northernmost extent of the tailings management facility (TMF) and Long Hike Lake (as shown on Fig. 5-9 of the Environmental Impact Statement/Environmental Assessment (EIS/EA) report) providing natural separation of runoff from

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the two areas. Additionally, the TMF reclaim pond is equipped with an emergency spillway. The reclaim pond and spillway are designed to contain and convey the 24 hr - 10,000 year rainfall event without uncontrolled spillage to the environment. In the event of an extreme rainfall event, excess water in the TMF reclaim pond will be discharged to Lizard Lake or Sawbill Bay thereafter as described in Section 6.6.4 of the EIS/EA report.

e. **There is a suggestion of compensation generated from the Hammond Reef project being used elsewhere downstream. Perhaps in the future additional habitat restoration areas within the project will be identified.**
Off site fish habitat compensation is no longer being considered. We welcome suggestions for fish habitat projects and anticipate some collaboration through the Environmental Resource Sharing Committee. The conceptual level no net loss plan prepared for EA purposes envisions only on-site fish habitat compensation projects.

f. **In the event of a lengthy temporary production shutdown, how would exposed tailings beaches be conditioned to avoid "Dust storms"?**
The issue of dust emissions is being explored further. The Certified Closure Plan that will be submitted to the Ontario Ministry of Northern Development and Mines (MNDM) after EA approval will outline the measures taken if the project enters the "temporary suspension" status.

g. **To assist in the prediction of effluent quality, will Osisko be sampling internal (Pre effluent) reclaim pond water quality?**
On-going sampling of all water discharged from the mine site will be required as part of the Environmental Compliance Approval for effluent release to ensure the effluent is compliant with appropriate standards. The frequency of this sampling will be determined based on the provincial and federal permit requirements. Osisko may conduct additional sampling prior to effluent release to confirm the suitability of the water for use at the process plant.

We welcome the opportunity to meet with you and further discuss your concerns regarding the Environmental Assessment Report.

Sincerely,

<Original signed by>

Alexandra Drapack, MBA, P.Eng
Director, Sustainable Development

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November 8, 2013

Chief Early Klyne
Seine River First Nation
Box 124
Mine Centre, ON P0W 1H0

Dear Chief Klyne:

Thank you for your comments on April 4, 2013 to Amy Liu of CEAA regarding the Environmental Assessment submitted by Osisko for the Hammond Reef Gold Project. We are pleased to provide the following clarifications in response to your concerns (original questions summarized in bold font below).

With respect to your specific concerns, we offer the following clarifications.

a. **Documents overwhelming in their size and impossible to adequately review in the time allocated by the EA schedule. Documents should be re-written to include pertinent information, provide a distribution system suitable to the target population most affected, and ensure the information is in a form that is easily understood.**
   Osisko welcomes ongoing involvement and input and will continue to improve community and Aboriginal consultation efforts through resource sharing committees, plain language information sharing, Chief's meetings, Elders meetings, community visits and regular updates via biweekly News Briefs. In response to your comment and to comments from others, the revised Environmental Impact Statement/Environmental Assessment (EIS/EA) report contains a revised Executive Summary containing the most pertinent information which we hope will be useful in facilitating your review.

b. **SRFN's chief concern is the release of sulphate at above ambient levels into Marmion Lake. Elevated levels of sulphate are known to increase mercury methylation and are considered detrimental to wild rice production. We currently have our consultants assessing the predictions from your dispersal models. We need further time to complete these assessments and may request further input from Osisko in this matter.**
   We understand that some scientists believe that elevated sulphate levels can be linked to the release of mercury from sediment. Air modeling for the environmental assessment did include a prediction of changes to sulphate concentrations. The Project is predicted to cause a small increase sulphate concentrations in lake water from their existing levels, but is not expected to trigger any additional release of mercury from sediments.

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c. **There are no samples taken in the RSA. Why is this? What makes it a "study area" if nothing is studied? Is Osisko willing to take samples in the RSA prior to mine development and for a period of operation afterwards? SRFN may be willing to assist in such an endeavor. Is this a possibility?**
The Regional Study Area is an area that provides regional context and environmental setting for the Project. Data collection was focused on areas where the Project has a potential to effect the environment. Potential effects will not extend into the RSA.

d. **Map does not include the Steep Rock flooded open pits, Caland and Hogarth. In later sections we comment on the mitigation arrangement Osisko has with the MNR concerning these same pit lakes. Are there other mitigation efforts concerning these pit lakes that are not reported that have significance to their removal from your map? If they are being mitigated, why are they not in the study area?**
The exclusion of the Steep Rock flooded open pits is due to the fact that Osisko is no longer considering off site fish compensation. Throughout our consultation, we heard that many people were concerned about the risks presented by Steep Rock. We included off site fish habitat compensation as an option in an effort to address these comments. However, as the Project planning proceeded, we heard from several groups and specifically from Seine River First Nation, that they would be opposed to this option. We have therefore refocused our fish habitat compensation plan to focus on on-site options and compensation of Steep Rock is no longer envisioned.

e. **Water and sediment sampling locations seem to be in the nearshore areas where conditions would be aerobic. Why were samples not collected in the deep portions of the basin? Does this bias your results and comparisons to CCME, CWQG and PWQG if the water bodies were not adequately tested?**
Sampling locations are focused on areas where there is a potential effect from the Project. Many of these areas are near shore, however column profile samples were also collected to measure the water and sediment chemistry in deeper areas. In order to provide a longer term data set, water quality sampling commenced before complete bathymetry data were available.

Eight column profile sample locations were selected and were sampled six times between September 2010 and August 2012. Water was collected approximately one metre below surface and one metre above lakebed using an 8 litres (L) capacity plastic Van Dorn water sampler, tripped by a messenger weight. Field parameter measurements were collected using the YSI in one-metre intervals from the surface of the water column to the lakebed. All sample and data were collected from an anchored boat near the middle of the water body.

The 2013 water quality monitoring program has been revised to ensure that the deep basins of these waterbodies are included in the sampling plan. A revised figure presenting the 2013 water quality monitoring stations is attached.

f. **The actual water quality results are not given. Is this data available and in some appendix we do not have?**
Surface water quality results are provided in Appendix 2.III Surface Water Quality Results.

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g. **A table needs to be added that shows the method and detection limits for all water quality parameters analyzed by the lab. The table should also show if the parameters analyzed are accredited by CALA.**

All our laboratory work is conducted by ALS, a fully accredited facility. Analytes were chosen to be consistent with the applicable guidelines (Section 2.3). In general, the analytical detection limits were selected to be less than the applicable guidelines. Exceptions to this, for which analytical detection limits exceeded guidelines, are as follows:

- Cadmium detection limits of 0.00009 mg/L and 0.00002 mg/L in surface water samples were greater than the Canadian Council of Ministers of the Environment, Canadian Water Quality Guidelines (CCME CWQG) (0.000017 mg/L) observed in September 2010 and November 2010, respectively.
- Mercury detection limit of 0.0001 mg/L in surface water samples as observed in September 2010 was greater than the CCME CWQG (0.000026 mg/L).
- Silver detection limit of 0.0002 mg/L in surface water samples as observed in November 2010 was greater than the CCME CWQG and PWQO guidelines (0.0001 mg/L).
- Selenium detection limit of 0.002 mg/L in surface water samples as observed in June 2011 was greater than the CCME CWQG (0.001 mg/L). Some samples collected in September 2010 also had a detection limit (0.005 mg/L) that was greater than the CCME CWQG.

h. **Some of the pH values seem very low and doubt if they are correct. Certainly values we have for inflows in Sawbill Bay are much higher than listed. Was the field instrument used for these measurements ever calibrated?**

Measurements of pH, oxygen-reduction potential (ORP), temperature, electrical conductivity and dissolved oxygen (DO) were collected in the field at the time of sampling using a YSI multiparameter meter (YSI). The YSI meter was calibrated by the supplier and in the field with calibration solutions provided by the supplier. Calibration for pH (two points: 4 and 7), electrical conductivity and ORP was carried out daily before sampling and documented in field notes. The YSI was placed downstream to equilibrate during the sampling procedure before measured parameters were recorded.

i. **SRFN is the first community downstream of this mine development. However, in the EA process, we seem to be considered equally with all First Nations. We ask that Osisko recognize the reality of the situation with SRFN being the most impacted First Nation and work with us to ensure the Seine River remains as little impacted as possible and that our community shares in the potential benefits of the mine.**

No downstream effects are anticipated. We will continue to work with you to ensure the community benefits from the Project.

j. **SRFN has had some general discussions with Osisko on opportunities but nothing has been confirmed. SRFN is currently developing expertise in environmental sampling and this is one possibility that could warrant direct involvement with the mining impacts.**

Notwithstanding the fact that we believe that the fish tissue sampling undertaken for the EA was sufficient for EA purposes, we have committed to providing capacity support to Seine River First Nation (SRFN) to collect additional fish tissue and benthic samples in the Spring of 2014 in conjunction with an environmental study being undertaken with their community. We would be pleased to share the workplan with you for review and comment. We envision utilizing SRFN personnel in the fieldwork and sharing the data with SRFN, OFAH and the Sportsmen's club.

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k. **We disagree with the statement that direct Project activities only have the potential to affect those with traplines directly in the Project area. Our community members have a respect for the river that may not be readily appreciated or understood by the mine developers. This concern is shared by the entire population of our community not just a "few members".**
The footprint of the Project is very small. Environmental effects are limited to the outlined footprint and the small area surrounding it. Effects to trapline holders are directly related to loss of terrestrial habitat within their traplines and potential need to restrict access for noise and air concerns

l. **Please remove the statements: Some efforts have been made to plant wild rice without success, likely because of the rocky environment and fluctuating water levels. Although wild rice plant can be found, it is not abundant enough to warrant the effort of harvesting. We invite Osisko to be involved in our assessments and potential development of wild rice on Marmion Lake.**
The information regarding wild rice harvesting on Marmion Lake was provided to Osisko throughout our individual interviews with land users.

m. **We do not consider the community surveys to be representative of the consumption of traditional food at least in our community. There were only 67 individuals involved in this survey, representing less than 2% of the population of the First Nations considered.**
The community surveys were not intended to be representative. The traditional use study was designed according to Chief's input and advice, and was largely focused on workshops with Elders.

n. **The VEC "model" in the Aboriginal Interests TSD is very subjective and difficult to understand. Our review is an ongoing effort and we will have further comments, concerns and interests as the project continues. SRFN sees its role as a protector of the Seine River and its environment.**
Valued Ecosystem Components are used as a tool in the government EA process. Because the Project is very complicated and the environment is so complex, VECs are used as a way of explaining the environmental effects. Osisko understands that input from First Nations will be received throughout the ongoing planning process

We welcome the opportunity to meet with you and further discuss your concerns regarding the Environmental Assessment Report.

Sincerely,

<Original signed by>

Alexandra Drapack, MBA, P. Eng.
Director Sustainable Development

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610000 620000 630000

5430000 5420000

N

Serpent Lake
Cornell Lake
Sawbill Bay
Mitta Lake
Marmion Reservoir
Light Lake
Upper Seine Bay
Hawk Bay

HRWQ28
HRWQ35
HRWQ11
HRWQ36
HRWQ1
HRWQ37
HRWQ40
HRWQ4
HRWQ7
HRWQ8
HRWQP3
HRWQ9
HRWQ5
HRWQP10
HRWQP2
HRWQ6
HRWQ10
HRWQ32
HRWQ31
HRWQ20
HRWQ25
HRWQ3
HRWQ21
HRWQ17
HRWQ2
HRWQP6
HRWQ34
HRWQ33
HRWQP9
HRWQP1
HRWQ14
HRWQP7
HRWQ15
HRWQ16
HRWQP6
HRWQ22
HRWQ13
HRWQP5

LEGEND

- New Surface Water Sample Location
- New Profile Sample Location
- Surface Water Sample Location
- Surface Water and Sediment Sample Location
- Profile Sample Location (Surface Water and Sediment)
- Raft Lake Cut Location
- Road
- Trail
- River/Stream
- Lake
- Wetland
- Mine Site Road
- Access Road (Hardtack / Sawbill)
- Project Transmission Line
- Project Facilities

SAMPLE LABELS

HRWQx, HRWQPx — 2013 Sample Location (New)

HRWQx, HRWQPx — 2013 Sample Location (Existing)

HRWQx — 2010 - 2012 Sample Location

REFERENCE

Base Data - Provided by OSISKO Hammond Reef Gold Project Ltd.
Base Data - MNR NRVIS, obtained 2004
Produced by Golder Associates Ltd under licence from
Ontario Ministry of Natural Resources, © Queens Printer 2008
Projection: Transverse Mercator Datum: NAD 83 Coordinate System: UTM Zone 15N

1,000 0 1,000 2,000 3,000
SCALE 1:80,000 METRES

PROJECT
HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

TITLE
WATER QUALITY, SEDIMENT AND PROFILE SAMPLE LOCATIONS

Golder Associates
Mississauga, Ontario

PROJECT NO. 13-1118-0010			SCALE AS SHOWN	VERSION 2
DESIGN	CGE	14 Nov. 2008		
GIS	JO	11 Sep. 2013		
CHECK	REJ	11 Sep. 2013		
REVIEW	KJD	11 Sep. 2013		

FIGURE: 1

G:\Projects\2013\13-1118-0010_Osisko_Hammond_ReefGIS\MXDs\Reporting\WaterQuality\Sediment_ProfileLocations.mxd

OSISKO

December 5th, 2013

Theresa Stenlund
Chair, MNO Rainy Lake/Rainy River/Lac Seul & Treaty #3 Consultation Committee
Rural Route 2
Suite 220, Complex 40
Kenora ON P9N 3W8

Theresa,

On April 5, 2013, OHRG received comments from the Métis Nation of Ontario (MNO) on the Draft EIS/EA Report. The MNO hired an external consultant to provide a technical review of the Draft EIS/EA Report. The technical review included a submission to OHRG of 60 comments and questions on a variety of topics. The key questions as summarized by the external consultants on MNO's behalf were:

- Did the Métis influence what valued component was studied?
- Did the Métis influence how and when each valued component was studied?
- Can the Métis have confidence in the prediction of effects on each valued component?

OHRG is confident that the answer to the above questions is yes as evidenced by the meeting notes and information materials included in the Record of Consultation for the Final EIS/EA Report. OHRG has actively solicited feedback from the Métis Nation of Ontario (MNO) on the selection of Valued Ecosystem Components, study areas, baseline results, mitigation measures, and assessment conclusions throughout the eight Committee meetings that took place.

We look forward to an ongoing relationship with the MNO on the Hammond Reef Gold Project. We trust that the Project will be mutually beneficial through execution of a Partnership Agreement.

Osisko believes that the Métis community has valuable skills and knowledge that can contribute to the Project in a positive way and will continue active information sharing with the MNO through participation in the planned Joint Working Groups.

Sincerely,
<Original signed by>

Alexandra Drapack, MBA, P. Eng.
Director Sustainable Development

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PART C

Aboriginal Interests Technical Support Document, Version 1

December 2013
Project No. 13-1118-0010
Hammond Reef Gold Project

February 2013

HAMMOND REEF GOLD PROJECT
Aboriginal Interests Technical Support Document

VERSION 1

Project Number: 10-1118-0020

Prepared by:
Osisko Hammond Reef Gold Ltd.
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HAMMOND REEF GOLD

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APPENDICES

APPENDIX 6.I
Traditional Use Study (TUS) Review Reference Material

APPENDIX 6.II
Métis Nation of Ontario – List of Concerns to the Canadian Environmental Assessment Agency (February 9, 2012)

1.0 INTRODUCTION

Osisko Hammond Reef Gold Ltd. (OHRG) proposes the development of an open pit gold mine in north-western Ontario, herein referred to as the Hammond Reef Gold Project (Project). This Aboriginal Interests Technical Support Document (TSD) is one of a series of reports in support of the Project's Environmental Impact Statement/Environmental Assessment Report (EIS/EA Report).

The following reports have been prepared to support the EIS/EA Report:

- Atmospheric Environment TSD.
- Geochemistry, Geology and Soil TSD.
- Hydrogeology TSD.
- Hydrology TSD.
- Water and Sediment Quality TSD.
- Site Water Quality TSD.
- Lake Water Quality TSD.
- Aquatic Environment TSD.
- Terrestrial Ecology TSD.
- **Aboriginal Interests TSD.**
- Cultural Heritage Resources TSD.
- Human Health and Ecological Risk Assessment TSD.
- Socio-economic Environment TSD.
- Alternatives Assessment Report.
- Conceptual Closure and Rehabilitation Plan.

The EIS/EA Report summarizes the findings of this TSD and those of the supporting reports listed above.

1.1 Purpose and Scope

The purpose of this TSD is to fulfill the assessment scope outlined in the Project's Terms of Reference (ToR) approved by the Ontario Minister of the Environment (July 4, 2012), and in the Environmental Impact Statement Guidelines (EIS Guidelines) prepared for the Project by the Canadian Environmental Assessment Agency (CEA Agency) (December 15, 2011).

1.1.1 Existing Conditions

This TSD provides a description of the existing conditions as they are relevant to the assessments of the likely effects of the Project on Aboriginal Interests. In addition, as required by the ToR and the EIS Guidelines, the TSD describes past, current and any known planned land use of the study areas that may be impacted by the Project. The analysis focusses on the identification of potential adverse effects of the Project on the ability of future generations of Aboriginal people to pursue traditional activities, including:

- A description of asserted or established Aboriginal and treaty rights in the study areas.
- An identification of the lands, waters and resources of specific social, economic, archaeological, cultural or spiritual value to Aboriginal people in the study areas.
- Description of traditional activities for food, social, ceremonial and other cultural purposes in relation to the study areas.
- Description of traditional dietary habits and dependence on country foods and harvesting for other purposes, including harvesting of plants for medicinal purposes.

1.1.2 Assessment of Effects

The TSD identifies and describes the existing conditions in sufficient detail to allow the prediction and assessment of likely effects on the Valued Ecosystem Components (VECs) selected for the Aboriginal Interests component of the Environmental Assessment (EA), and to determine the significance of these effects. This report identifies practicable measures to avoid, mitigate, compensate or accommodate environmental effects which may limit the current use of lands and resources for traditional purposes. Where positive effects are predicted, recommendations are made to enhance theses effects where practicable. Finally, the report also outlines monitoring programs to enable effective testing of the environmental assessment predictions.

The following TSD provides information regarding the likely effects of the Project on Aboriginal groups' interests and on asserted or established Aboriginal and treaty rights. Based on published information and ongoing communication with identified Aboriginal communities, this report identifies any likely measurable effects on:

- Social and/or economic effects to Aboriginal communities that may arise as a result of environmental effects of the Project. These effects relate primarily to employment, business activity and training.
- Current and proposed uses of land and resources by Aboriginal persons for traditional purposes. This includes primarily trapping, hunting and fishing.
- Lifestyle, culture and quality of life of Aboriginal communities.
- Heritage and archaeological resources in the Project area that are of importance or concern to Aboriginal communities. This includes heritage sites and areas of traditional interest to Aboriginal people.

1.1.3 Report Structure

This TSD is structured as follows:

- Section 1 provides an overview of the purpose and scope of the TSD.

- Section 2 provides the assessment context including summarizing the current regulatory process of the environmental assessment of the Project.
- Section 3 presents an overview of the Project, with a focus on areas which may be of special interest to Aboriginal people.
- Section 4 outlines the assessment boundaries specific to the Aboriginal Interests assessment.
- Section 5 identifies the selection and rationale for the Valued Ecosystem Components used for the assessment.
- Section 6 describes the existing conditions relevant to the assessment using the VECs identified for the assessment.
- Section 7 presents the assessment of Project effects on Aboriginal Interests, focusing on Valued Ecosystem Components. The effects assessment includes the screening of effects, prediction of likely affects, identification of additional mitigation measures to reduce or avoid those effects, description of residual effects, assessment of significance of residual effects and recommendations for enhancing positive effects.
- Section 8 summarizes the findings of this report.

2.0 ENVIRONMENTAL ASSESSMENT CONTEXT

The Project is subject to federal and provincial environmental assessment requirements. The CEA Agency has determined that a Comprehensive Study is required for the Project, as defined in Section 16 of the Canadian Environmental Assessment Act (CEAA). In addition, OHRG has entered into a Voluntary Agreement with the Ontario Ministry of the Environment (OMOE) to conduct an individual environmental assessment for the Project in accordance with the requirements of the Ontario Environmental Assessment Act R.S.O. 1990, Chapter E.18, under subsection 6(2)(a) as well as 6.1(2).

As outlined in the Project's ToR, a single report was prepared to meet the requirements of the Ontario Environmental Assessment Act and the CEAA. The EIS/EA Report will be prepared within the coordination framework of the Canada-Ontario Agreement on Environmental Assessment Cooperation (CEAA and OMOE, 2007). Federal department coordination is provided by the CEA Agency and provincial EA coordination is provided by the OMOE Environmental Approvals Branch (EAB).

Incorporation of Aboriginal rights and interests into a project planning process is considered an emerging area in environmental assessment. Although long standing requirements for determining Aboriginal Interests in a proposed development Project have not been mandated, best practices and feedback from the Aboriginal communities were paramount in the study and assessment.

Specific regulatory requirements and government guidelines that were considered throughout the assessment of Aboriginal Interests include:

- Terms of Reference for the Hammond Reef Gold Project (OHRG 2012).
- EIS Guidelines for the Hammond Reef Gold Project (CEAA 2011).
- Ontario *Mining Act* (Amended 2010, (Ontario 2012)).
- CEAA Traditional Knowledge Guidelines (CEAA undated).

This Aboriginal Interests TSD follows, to the extent practicable, the approach and assessment methodology used in other TSDs. However as a discipline that includes the study of people, and aims to do so with respect for their privacy and cultural practices, the methods were adjusted to be flexible and accommodate these unique requirements. The report indentifies any areas where Aboriginal people have requested that information is kept confidential or limited in detail.

3.0 PROJECT OVERVIEW

The Project overview and Project description are provided in Chapter 5 of the EIS/EA Report. Project aspects that influence the Aboriginal Interests are described in Sections 3.1 and 3.4 of this TSD.

3.1 Project Location and Setting

The Project is set within the Thunder Bay Mining District in north-western Ontario, approximately 170 km west of Thunder Bay and 23 km northeast of the town of Atikokan.

The Project is located mainly on a peninsula extending into the north end of the Upper Marmion Reservoir (Figure 3-1). This peninsula is surrounded by the Marmion Reservoir on three sides with Sawbill Bay to the northwest and Lynxhead Bay to the southeast. The Project Site contains Mitta Lake, a small, steep-sided lake located atop mineralized zones within the ore deposit at an approximate elevation (Elev.) of 435 metres above sea level (masl). The Project Site also contains a number of small ponds in and around the proposed open pits.

Current access to the Project Site is via the Hardtack-Sawbill Lake Road. The Project Site is also accessible by water from the southwest end of the Marmion Reservoir at its access point from Highway 622, west of Atikokan.

Gentle topography is characteristic of the area encompassing the Project Site. The granitic rocks of the area are characterized by rounded hills and shallow slopes compared to the more rugged terrain of the greenstone belts (Dyer 1999). The ground surface around the Project Site is variable and ranges from Elev. 416 masl around the waterfront of the peninsula to approximately Elev. 456 masl in various high points around the proposed open pits.

The Project is located in a typical boreal climate region, which is characterized by long, usually very cold winters, and short, cool to mild summers. The annual temperature average is 1.6°C for Atikokan with a seasonal maximum of 16.2°C (average) for summer and a minimum of -15.4°C (average) for winter. Temperatures lower than 37°C have been recorded during the fall and winter. The annual normal total for precipitation is 788 mm (568 mm of rainfall and 220 mm of snowfall) for Atikokan with a seasonal maximum of 299 mm for the summer period.

REFERENCE

Base Data - Provided by OSISKO Hammond Reef Gold Project Ltd.;
Base Data - MNR NRVIS, obtained 2004. Produced by Golder Associates Ltd
under licence from Ontario Ministry of Natural Resources, © Queens Printer 2012
Projection: Transverse Mercator Datum: NAD 83 Coordinate System: UTM Zone 15N

100 0 100 200 300 400
SCALE 1:10,000,000 KILOMETRES

Golder Associates
Mississauga, Ontario

PROJECT No.	10-1118-0020
SCALE	AS SHOWN
VERSION	1
DATE	February, 2013
DESIGN	CGE
GIS	JO
CHECK	RG
REVIEW	RG

TITLE

PROJECT LOCATION

PROJECT HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

FIGURE: 3-1

G:\Projects\2010\10-1118-0020_BrettResources_HammondReef\GIS\MXDs\Draft\Aboriginal\TSD\ProjectLocation.mxd

3.2 Project Components

The Project consists of the following eight main components:

- Mine.
- Waste Rock Management Facility.
- Ore Processing Facility.
- Tailings Management Facility.
- Support and Ancillary Infrastructure.
- Water Management System.
- Linear Infrastructure.
- Borrow Sites.

Table 3-1 provides a summary of the key Project components. Project components are also shown on Figure 3-2. A detailed description of Project components is provided in the EIS/EA Report Project Description (Chapter 5).

Table 3-1: Project Components

Component	Subcomponent
Mine	open pits
	ramps
	low-grade ore stockpile
Waste Rock Management Facility	waste rock stockpiles
	transfer areas
Ore Processing Facility	processing plant
	live ore stockpile
	crushed ore stockpile
	ore crushers
	crushed ore conveyors
Tailings Management Facility	tailings thickener
	tailings containment
	tailings disposal pipeline
	reclaim water pump
	reclaim water pipeline
	TMF service road

Table 3-1: Project Components (Continued)

Component	Subcomponent
Support and Ancillary Infrastructure	mine site road
	accommodation camp
	administration offices
	overburden stockpile
	sewage treatment facilities
	main gate access
	warehouses and truck shop
	chemicals, fuel and explosives storage
	power supply (grid)
	other ancillary and support infrastructure
Water Management System	ditches and collection ponds
	effluent treatment plant
	pumping stations
	potable water supplies
Linear Infrastructure	access road (Hardtack/Sawbill)
	fibre optic line
	project transmission line
Borrow Sites	pits and quarries

610000 615000 620000

5430000 5425000 5420000

Serpent Lake
Cornell Lake
Long Hike Lake
Vista Lake
Lizard Lake
Light Lake
Sawbill Bay
Marmion Reservoir
Lynxhead Bay
Turtle Bay
Upper Seine Bay
Trap Bay
Mills Lake

ACCOMMODATION CAMP
PUMPING STATION
TAILINGS MANAGEMENT FACILITY
PUMPING STATION
DETONATOR STORAGE
EMULSION PLANT
PEBBLE CRUSHING STATION
CONCENTRATOR
POWER SUBSTATION
PROPANE FARM
EFFLUENT TREATMENT PLANT
PROCESS PLANT COLLECTION POND
GYRATORY CRUSHER PAD
LIVE ORE STOCKPILE
PARKING LOT
SECURITY STATION
TRUCK SHOP / MINE OFFICE
PARKING LOT
FUEL BAY
EAST PIT
WEST PIT
WASTE ROCK STOCKPILE
LOW-GRADE ORE STOCKPILE
OVERBURDEN STOCKPILE

N

LEGEND

- Road
- Trail
- River/Stream
- Lake
- Wetland
- Mine Site Road
- Access Road (Hardtack / Sawbill)
- Project Transmission Line
- Accommodation Camp
- Laydown Area
- Office and Truck Shop, Explosives Storage and Processing Plant
- Open Pits
- Low-Grade Ore Stockpile
- Overburden Stockpile
- Process Plant Collection Pond
- Pumping Station
- Tailings Management Facility
- Tailings Management Facility Reclaim Pond
- Waste Rock Stockpile

REFERENCE

Base Data - Provided by OSISKO Hammond Reef Gold Project Ltd.
Base Data - MNR NRVIS, obtained 2004
Produced by Golder Associates Ltd under licence from
Ontario Ministry of Natural Resources, © Queens Printer 2008
Projection: Transverse Mercator Datum: NAD 83 Coordinate System: UTM Zone 15N

500 0 500 1,000 1,500 2,000 2,500
SCALE 1:50,000 METERS

PROJECT
HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

TITLE
PROJECT COMPONENTS

Golder Associates
Mississauga, Ontario

PROJECT NO. 10-1118-0020			SCALE AS SHOWN	VERSION 1
DESIGN	CGE	14 Nov. 2008		
GIS	JO	6 Feb. 2013		
CHECK	RG	6 Feb. 2013		
REVIEW	RG	6 Feb. 2013		

FIGURE: 3-2

G:\Projects\2010\10-1118-0020_BrettResources_HammondReef\GIS\MXDs\Draft\Aborignal\TSD\Project Components.mxd

3.3 Project Phases

The Project, following the feasibility phase, comprises four phases: construction, operations, closure and post-closure. A simplified project schedule for each of these phases is shown in Figure 3-3. For the purposes of the environmental assessment, the closure and post-closure phases are combined, since the purpose of both phases is the restoration of the land to a safe and acceptable condition, similar to pre-development.

3.3.1 Construction

The construction phase will begin once all relevant permits have been received and financing is in place. For EA purposes, the construction phase is assumed to last 30 months. Construction of the access road and the project transmission line will take priority, as overall Project construction and operations depends on having suitable electricity and access to the Project Site.

Existing mine site roads will be upgraded and new ones will be constructed to facilitate movement of equipment and construction materials within the Project Site. Aggregate Borrow Sites will be identified, and rehabilitated upon completion, as per the Aggregate Resources Act. Some Borrow Sites will need to be kept open to provide materials for ongoing road maintenance.

Equipment will be transported to the site and site preparation activities will be undertaken. Clearing, grubbing, and site levelling will be undertaken where infrastructure is to be placed. Site drainage will be constructed in the initial stages, including the draining of Mitta Lake. Stockpile and laydown areas will be prepared for equipment and supplies that are brought to site.

To produce concrete, OHRG will temporarily install a concrete batch plant following the completion of the access road. After construction, the concrete batch plant will be removed from the Project Site. To produce aggregate during construction OHRG will mobilize a mobile jaw crusher, cone crusher, and screening plant. Following construction, the mobile crushing and screening plant will be demobilized.

Site infrastructure will be completed progressively such that those facilities required for construction are completed first, followed by those facilities required for start-up of operations.

3.3.2 Operations

During the operations phase, the process of removing the ore (i.e., economically valuable material) through development of the open pits begins. Open pit ramps will be advanced progressively through the operating life of the Mine using blasting. The mining process will generate waste rock (i.e., uneconomic material), which will be brought to surface and disposed of in the waste rock stockpiles.

As in the construction phase, the operation of the Mine will involve on-going transport of equipment and supplies to the site. Mining activities will be supported by facilities for fuelling and servicing equipment. Mined ore will be brought to surface uncrushed via truck haulage and placed directly into the gyratory crusher for immediate processing or placed into the stockpiles adjacent to the processing plant for processing in the future.

During this phase, operation of the Tailings Management Facility will include pumping of the thickened tailings from the processing plant to the Tailings Management Facility. The OHRG tailings dams were designed according to Canadian Dam Association (CDA) Guidelines and Ontario MNR Guidelines. The MNR has authority to approve dams in Ontario and CDA guidelines are referenced in the Ontario Mine Closure

regulations. The design of the OHRG tailings dam was completed by Golder Associates and will be peer reviewed by an independent expert in tailings dam construction and operation.

In addition, the Mining Association of Canada (MAC) provides guidelines for best practices for management of tailings dams. OHRG intends to develop a customized tailings management system that address the specific needs of Osisko, local regulatory and community requirements. The management system will include:

- A framework for tailings management.
- Sample checklists for implementing the framework through the life cycle of a tailings facility.

The framework will offer a foundation for managing tailings in a safe and environmentally responsible manner through the full life cycle of a tailings facility from site selection and design, through construction and operation, to eventual decommissioning and closure.

The tailings management framework will be expanded into checklists that address the various stages of the life cycle. These checklists will provide a basis for developing a customized management system, operating procedures and manuals, exposing gaps within existing procedures, identifying training requirements, communicating with Communities of Interest, obtaining permits, conducting internal audits, and aiding compliance and due diligence, at any stage of the life cycle.

The operations phase is expected to last for 11 years.

3.3.3 Closure and Post-closure

Closure is designed to return the site to a safe state which is integrated into the surrounding environment. Before construction on the Project can begin, OHRG must receive approval from the Ministry of Northern Development and Mines (MNDM) on a certified closure plan for the Project. The certified closure plan must include financial assurance, which means that OHRG will set aside the money needed for future rehabilitation of the mine site.

A conceptual closure plan has been developed for the Project. OHRG has been sharing information with Aboriginal communities throughout the Project planning process, including presentations sharing the details of the conceptual closure plan.

The objectives of the closure plan will be to:

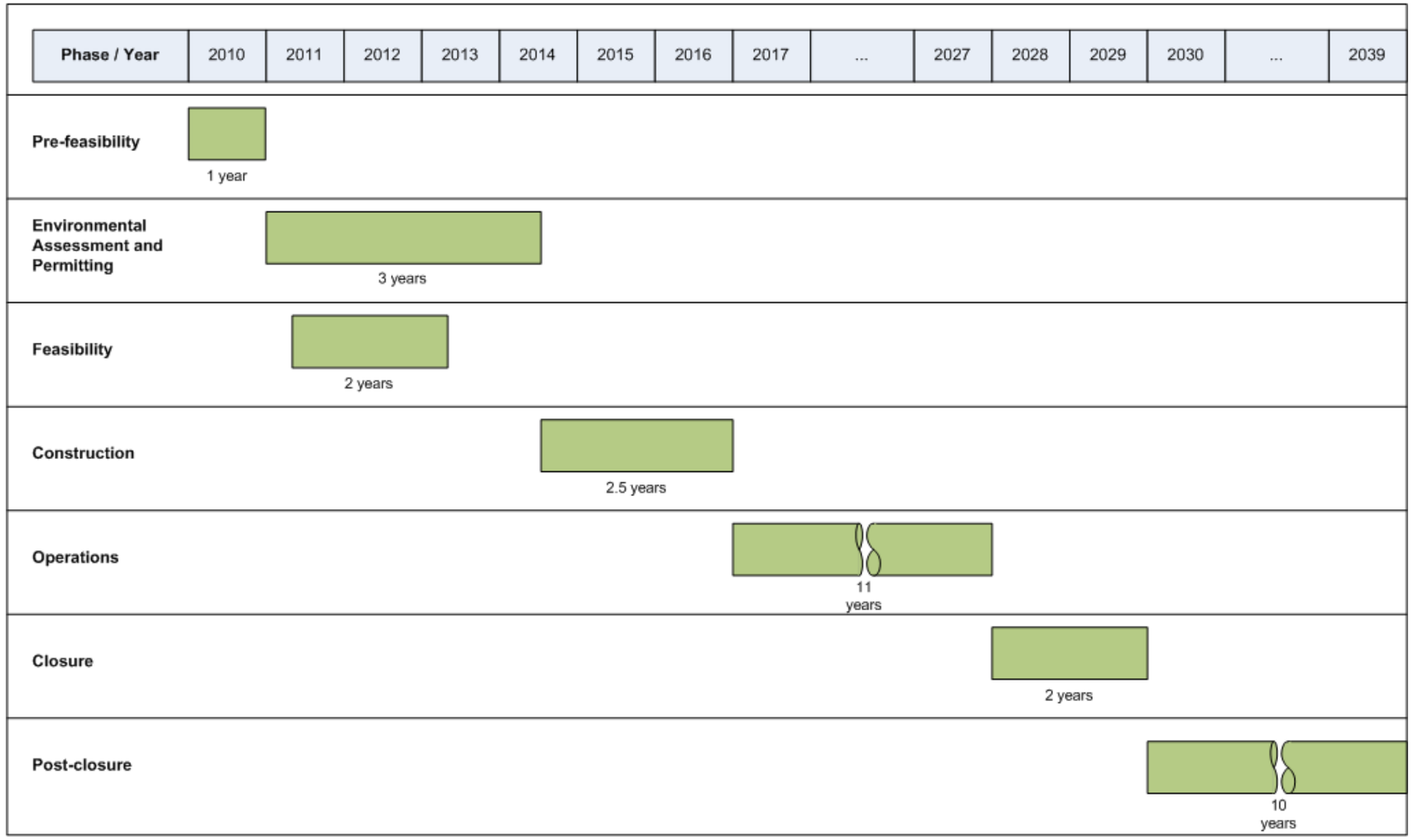
- Prevent personal injury or property damage that is reasonably foreseeable as a result of closing out the Project.
- Restore the Project Site to its former use or an acceptable alternative use, to the extent possible.
- Mine closure will follow the “Mine Rehabilitation Code of Ontario” and a detailed closure plan will be submitted to MNDM.

The closure and decommissioning will take place over a period of two years after operations have been completed. Most of the Project Site infrastructure will be removed during that time. Environmental monitoring of the Project Site will continue until it is shown that it meets all agreed closure conditions. Water management including the open pit is anticipated to continue into post closure until such a time as all closure conditions are met.

At closure, the following activities will occur:

- Cessation of mining operations.
- Progressive decommissioning of Project Site infrastructure.
- Project Site reclamation.

Post-closure consists of the period after all closure activities have been completed and active maintenance activities are no longer required. Activities during the post-closure phase will focus on periodic environmental monitoring and any identified activities required to ensure the integrity of the remaining waste rock stockpile and open pits. Post-closure activities will extend 10 years after the closure of the Mine, after which time most of the Project Site will return to mixed-wood forest habitat. Access will be allowed for tourism and recreational activities, hunting, trapping, fishing, as well as for future economic activities such as resource extraction and forestry. Site ownership will be restored to the Crown where possible.



PROJECT
HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

TITLE
SIMPLIFIED PROJECT SCHEDULE

Golder Associates
Mississauga, Ontario

PROJECT NO. 10-1118-0020			VERSION 1
DESIGN	CGE	8 Jan. 2013	
GIS	JO	6 Feb. 2013	
CHECK	RG	6 Feb. 2013	
REVIEW	RG	6 Feb. 2013	

FIGURE: 3-3

G:\Projects\2010\10-1118-0020_BrettResources_HammondReef\GIS\MXDs\Draft\AboriginalTSD\Project Schedule.mxd

3.4 Project Activities Identified for Assessment

For the purposes of the environmental assessment, these Project components are related to a number of Project activities which will occur during each of the phases of the Project. Of particular focus to Aboriginal Interests, are those activities which affect:

- Economics and labour force.
- Physical activities relating to the disturbance of land and water.

The Project work or activity that best allows an assessment of the effects of the Project as a whole on economics and labour force is "**Management, Permitting and Employment**." This activity includes the size and nature of the Project workforce, procurement of equipment, goods and services, and control of Project Site access.

All physical activities have the potential to interact with the environment. This includes construction activities at the Mine Site and those associated with infrastructure development. The specific Project activities include: Linear Infrastructure; Borrow Sites; Support and Ancillary Infrastructure; Ore Processing Facility; Mine; stockpiles; Waste Rock Management Facility (WRMF); Tailings Management Facility (TMF); and Water Management System. For the purpose of this TSD, these activities are collectively referred to as "**Project physical activities**."

4.0 ASSESSMENT BOUNDARIES

Project activities and the potential changes that they may produce on the environment are subject to temporal and spatial boundaries. These boundaries are common to all environmental components but with some modifications to reflect specific issues or concerns relevant to a specific discipline. For example, the spatial boundaries chosen for this Aboriginal Interests TSD reflect any areas unique to Aboriginal people, such as traditional territory, which may transcend existing physical, ecological or political boundaries.

The temporal and spatial boundaries specific to the Aboriginal Interests TSD are described below.

4.1 Temporal Boundaries

The Aboriginal Interests temporal boundaries are directly related to the Project phases shown in Figure 3-3.

4.2 Spatial Boundaries

Spatial boundaries define the geographical extents within which potential environmental changes may occur. As such, spatial boundaries become the Aboriginal Interests study areas. The study areas used for the Aboriginal Interests TSD include a Regional Study Area (RSA) and a Local Study Area (LSA). These study areas exist within a broader regional context.

The study areas were selected based on consideration of the following factors:

- Traditional territory (Treaty 3 (First Nations) and Treaty 3/Lake of the Woods/Lac Seul/Rainy River/Rainy Lake (Métis Nation of Ontario (MNO)).
- District identified by the Fort Frances Chiefs Secretariat and Lac des Mille Lacs First Nation.
- Area within which there is a potential for biological effects from the Project, identified in other TSDs.

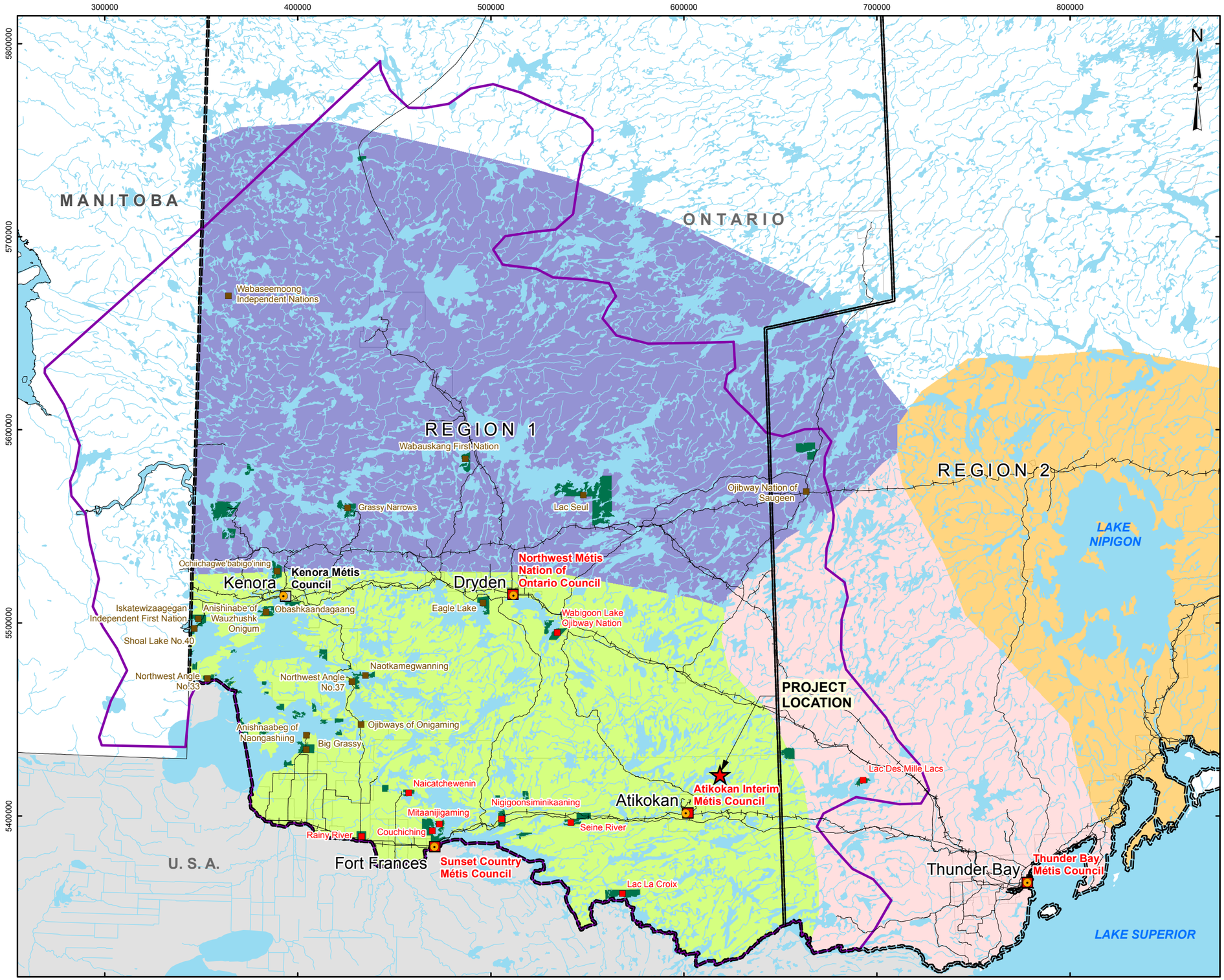
These areas were identified based on published information and were discussed with Aboriginal people throughout land use workshops and consultation activities, as described in Sections 6.1.2, 6.1.3 and 6.3.3 of this TSD and Chapter 7 of the EIS/EA Report.

This TSD includes a description of the regional context along with a description of the RSA and LSA.

4.2.1.1 Regional Context

The Project is located within Treaty 3 (First Nations) lands. The boundary shown on Figure 4-1 is as depicted in the *Natural Resources Canada Atlas of Canada* website (NRCan 2009). The area covers approximately 55,000 square miles (sq mi) in Ontario west of Thunder Bay running along the Canadian/American border to the south, and extending slightly into Manitoba in the west (Grand Council of Treaty 3 2010). The area includes 28 First Nations communities and the Towns of Atikokan, Fort Frances, Dryden and Kenora.

The First Nations group governing these lands is the Grand Council of Treaty 3, the historic government of the Anishinabe Nation of Treaty 3. There are 28 separate First Nations within Treaty 3, 26 First Nations in North western Ontario and 2 First Nations in Manitoba (Grand Council of Treaty 3 2010).



LEGEND

- City/Town
- Road
- Existing Railway
- River
- Waterbody
- First Nation Community
- First Nation Community
- Métis Community Council
- Métis Community Council
- First Nation Reserve
- Métis Nation of Ontario Region
- Aboriginal Treaty 3 1873

Métis Nation of Ontario Region Traditional Harvesting Territories

- Lake of The Woods / Lac Seul
- Lakehead
- Nipigon
- Rainy Lake / Rainy River

REFERENCE

Base Data - Provided by OSISKO Hammond Reef Gold Project Ltd.
Base Data - MNR NRVIS, obtained 2004
Produced by Golder Associates Ltd under licence from
Ontario Ministry of Natural Resources, © Queens Printer 2008
Historical Indian Treaties obtained from Natural Resources Canada,
The Atlas of Canada (2010).
First Nations Communities from Indian and Northern Affairs Canada.
Métis Regional Areas and Communities from MNO Website (www.metisnation.org)
Projection: Transverse Mercator Datum: NAD 83 Coordinate System: UTM Zone 15N

25 12.5 0 25 50 75 100
SCALE 1:2,000,000 KILOMETRES

PROJECT
HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

TITLE
ABORIGINAL INTERESTS REGIONAL CONTEXT

Golder Associates
Mississauga, Ontario

PROJECT NO. 10-1118-0020			SCALE AS SHOWN	VERSION 1
DESIGN	CGE	14 Nov. 2008		
GIS	JO	6 Feb. 2013		
CHECK	RG	6 Feb. 2013		
REVIEW	RG	16 Jan. 2013		

FIGURE: 4-1

A:_Clients\CANADIAN_MALARTIC_GP\Atikokan\99_PRO\1\1656263\40_PROD\0002_Figure_Translation\1656263-0002-HL-0001.mxd

The Project is also located within an area recognized by the Métis Nation of Ontario as the Treaty 3/Lake of the Woods/Lac Seul/Rainy River/Rainy Lake traditional harvesting territories, also named Region 1 (Figure 4-1).

4.2.1.2 Regional Study Area

The Regional Study Area (RSA) is defined as the Rainy River District, extended to include Lac de Mille Lacs First Nation. The Rainy River District, a district and census division in Northwestern Ontario whose seat is in Fort Frances (Figure 4-2), was created in 1885 and is the only division in Ontario that lies completely in the Central time zone. It is known for its fishing and its location on the USA border opposite International Falls, Minnesota. In 2011, the total population of the District was 20,370 and the land area was 15,484.83 square kilometres (km^2) (StatsCan 2007).

The RSA was chosen because it is the area governed by the regional First Nations government body, the Fort Frances Chiefs Secretariat (FFCS). In December 2010, OHRG signed a Resource Sharing Agreement with the member nations of the FFCS and the Lac de Mille Lacs First Nation. As part of OHRG's commitment to honour this agreement, an encompassing approach has been taken to consultation activities throughout the Project planning process and potential effects to all signatory communities have been considered.

The economic effects on Aboriginal communities from the Project identified and assessed in this TSD are assumed to occur primarily within the RSA.

4.2.1.3 Local Study Area

The Local Study Area (LSA) is defined as the area likely to be affected by the direct environmental effects of the Project, focussed specifically on land use (in this TSD, the land use study area is equivalent to the local study area). Land use may be affected by temporary restriction of access for safety during Project operations, direct change of land use due to Project construction and operations, or indirect change of land use due to environmental changes from the Project. The LSA selected represents the combined local study area for the terrestrial and aquatic biology components, which captures the area within which the Project has the potential to have environmental effects (Figure 4-3). A similar area was selected as the land use study area in the Socio-economic Environment TSD. In both cases, effects are primarily a result of: (1) restricted access to the land directly impacted by the Project – the Project "footprint" – or (2) indirect effects as a result of effects on the aquatic or terrestrial environments.

The Aboriginal Heritage Resources and Traditional Land Use effects on Aboriginal communities from the Project identified and assessed in this TSD are assumed to occur primarily within the LSA.

400000 500000 600000 700000 800000

5600000 5500000 5400000 5300000

N

ONTARIO

LAKE NIPIGON

LAKE SUPERIOR

U. S. A.

Kenora

Dryden

Eagle Lake

Lac Seul

Ojibway Nation of Saugeen (Savant Lake)

Northwest Métis Nation of Ontario Council

Wabigoon Lake Ojibway Nation

Northwest Angle No.37

Naotkamegwanning

Ojibways of Onigaming

PROJECT LOCATION

Lac Des Mille Lacs

Atikokan Interim Métis Council

Atikokan

Naicatchewenin

Nigigoonsiminikaaning

Mitaanijigaming

Seine River

Rainy River

Couchiching

Fort Frances

Sunset Country Métis Council

Lac La Croix

Thunder Bay

Thunder Bay Métis Council

LEGEND

- City/Town
- Road
- Existing Railway
- River
- Waterbody
- First Nation Community
- First Nation Community within the Regional Study Area
- Métis Community Council
- Métis Community Council within the Regional Study Area
- First Nation Reserve
- First Nation Reserve within the Regional Study Area
- Regional Study Area

INDEX MAP

REFERENCE

Base Data - Provided by OSISKO Hammond Reef Gold Project Ltd
Base Data - MNR NRVIS, obtained 2004
Produced by Golder Associates Ltd under licence from
Ontario Ministry of Natural Resources, © Queens Printer 2008
Historical Indian Treaties obtained from Natural Resources Canada,
The Atlas of Canada (2010).
First Nations Communities from Indian and Northern Affairs Canada.
Projection: Transverse Mercator Datum: NAD 83 Coordinate System: UTM Zone 15N

30 15 0 30 60
SCALE 1:1,750,000 KILOMETRES

PROJECT
HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

TITLE
ABORIGINAL INTERESTS REGIONAL STUDY AREA

Golder Associates
Mississauga, Ontario

PROJECT NO. 10-1118-0020			SCALE AS SHOWN	VERSION 1
DESIGN	CGE	11 Nov. 2010		
GIS	JO	6 Feb. 2013		
CHECK	RG	6 Feb. 2013		
REVIEW	RG	6 Feb. 2013		

FIGURE: 4-2

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600000 610000 620000

5430000 5420000 5410000

Serpent Lake
Cornell Lake
Sawbill Bay
Lynxhead Bay
Light Lake
Upper Seine Bay
Hawk Bay
Marmion Reservoir
Highway 622
Steep Rock Lake

N

LEGEND

- Small Community
- Road
- River/Stream
- Lake
- Mine Site Road
- Access Road (Hardtack / Sawbill)
- Project Transmission Line
- Project Facilities
- Aboriginal Interests Local Study Area

REFERENCE

Base Data - Provided by OSISKO Hammond Reef Gold Project Ltd
Base Data - MNR NRVIS, obtained 2004
Produced by Golder Associates Ltd under licence from
Ontario Ministry of Natural Resources, © Queens Printer 2008
Projection: Transverse Mercator Datum: NAD 83 Coordinate System: UTM Zone 15N

1 0.5 0 1 2 3 4
KILOMETRES

PROJECT
HAMMOND REEF GOLD PROJECT
ATIKOKAN, ONTARIO, CANADA

TITLE
ABORIGINAL INTERESTS LOCAL STUDY AREA

Golder Associates
Mississauga, Ontario

PROJECT NO. 10-1118-0020			SCALE AS SHOWN	VERSION 1
DESIGN	CGE	8 Jan. 2013		
GIS	JO	6 Feb. 2013		
CHECK	RG	6 Feb. 2013		
REVIEW	RG	6 Feb. 2013		

FIGURE: 4-3

G:\Projects\2010\10-1118-0020_BrettResources_HammondReef\GIS\MXDs\Draft\AboriginalITSDI\Land_Use_Study_Area.mxd

5.0 VALUED ECOSYSTEM COMPONENTS

The purpose of this TSD is to identify all effects of the Project on Aboriginal Interests, the extent to which the Project may affect Aboriginal Interests, and practicable means by which potential effects can be mitigated. While all aspects of Aboriginal Interests are important, it is neither practicable nor necessary to assess every potential effect of the Project on every aspect of the environment. In order to focus the assessment on those components that are of greatest relevance in terms of value and sensitivity, Valued Ecosystem Components (VECs) have been identified and selected as endpoints for the assessment.

The CEA Agency describes VECs as:

> "Any part of the environment that is considered important by the proponent, public, scientists and government involved in the assessment process. Importance may be determined on the basis of cultural values or scientific concerns" (Hegmann et al. 1999).

5.1 Selecting Valued Ecosystem Components

The VECs were selected through an issues scoping exercise that identifies the particular components of the environment for which there is public, Aboriginal, regulatory or scientific concern. The VECs provide structure and focus for the environmental assessment and ensure that the likely effects of a project are considered.

5.1.1 Input in Selecting Valued Ecosystem Components

Since the VECs are assessment endpoints, it is important that the selected VECs can be used to meaningfully measure the potential effects of the Project. The VECs for this TSD were selected based on the following considerations:

- Engagement with Aboriginal communities, as detailed in Sections 6.1.2, 6.1.3 and 6.3.3 of this TSD and Chapter 7 of the EIS/EA Report.

  Aboriginal communities expressing interests in the Project included the seven member nations of the Fort Frances Chiefs Secretariat, Lac des Mille Lacs First Nation, Wabigoon Ojibway Nation, and the four Métis Nation of Ontario communities within the MNO Region 1 Harvesting Area (Atikokan, Fort Frances, Dryden and Kenora).

  The Wabigoon Ojibway First Nation originally expressed interest in the Project and the potential effects on their Aboriginal rights. However, after participating in multiple consultation activities, the location of the Project was clarified and they sent a formal letter to Osisko stating that their rights would not be affected. They stated that their primary interest in the Project was employment opportunities.

- Literature pertaining to Aboriginal treaties, land claims, fishing and harvesting rights.

- Previously published EAs for mining projects with Aboriginal interests accepted by CEAA, including:

  - Victor Diamond Mine Environmental Assessment Report; prepared by Debeers Canada Inc.; located in Ontario; accepted by CEAA August 19, 2005.

- Diavik Diamond Mine Environmental Assessment Report; prepared by Diavik Diamonds Mine Inc. and Aber Diamond Mines Ltd.; located in the Northwest Territories; accepted by CEAA November 1, 1999.

The VECs are characterized using indicators; where indicators are the attributes of the VEC that might be affected by the Project. Indicators typically are associated with specific measures that can be quantified and assessed. Three VECs have been selected for the Aboriginal Interest assessment. These indicators, and the rationale for their selection, are described in the following paragraphs.

5.1.2 Rationale for Selection of Valued Ecosystem Components, Indicators and Measures

5.1.2.1 Aboriginal Community Characteristics

Aboriginal communities consist of those individuals who are officially recognized by the Fort Frances Chiefs Secretariat, the Lac des Mille Lacs First Nation or the Métis Nation of Ontario. For First Nations, the term "Aboriginal communities" refers to their settlement areas or reserves, while for Métis, the term "Aboriginal community" refers to distinctive Métis collectives who have developed their own customs, way of life, and group identity separate from their European and First Nations forebears and who have interests in the RSA.

Aboriginal community characteristics was selected as a VEC because Aboriginal peoples have consistently expressed their interest in ensuring the stability and long term well-being of their communities, particularly regarding the health and safety of community members, their traditional economy, lifestyle and culture, and the availability of employment opportunities. The Project has the potential to directly affect Aboriginal communities and Aboriginal people through changes in their employment, business activity, and education and training. The Project also has the potential to indirectly affect Aboriginal communities through effects on the natural environment (i.e., changes in surface water, soils and groundwater, and the aquatic and terrestrial resources).

It is also noted that the EA/EIS Guidelines require the consideration of effects on Aboriginal communities.

5.1.2.2 Aboriginal Heritage Resources

Aboriginal heritage resources are identified as a VEC because Aboriginal peoples have consistently expressed their interest in the protection of heritage resources from disturbance, particularly known archaeological sites and artifacts, cultural and spiritual sites. These resources have historical, religious or cultural significance to Aboriginal peoples.

Aboriginal heritage resources may include archaeological sites (i.e. sites that are of heritage value but are no longer in use) and cultural or spiritual sites (i.e. sites that are of cultural or spiritual value and continue to be used).

The Project will involve physical activities that could directly disturb heritage resources, including unknown or deeply buried artifacts. The Project activities have the potential to indirectly affect the natural environment, which could result in a change in the quality or value of these resources to Aboriginal peoples as cultural or spiritual sites.

The EA/EIS Guidelines require that particular attention be given to Aboriginal cultural, archaeological and historical resources since there is documented evidence of the presence of such resources in the RSA.

5.1.2.3 Traditional Use of Land and Resources

Traditional use of land and resources was defined as a VEC because Aboriginal people have traditionally made use of lands and resources for their personal and community needs. Aboriginal persons continue to fish, hunt and trap animals, and gather plants for food, cultural, or economic purposes as they have done for centuries. Aboriginal peoples have stated that their traditional lands, waters, and resources are a fundamental part of their culture, identity, economy, and are essential to the sustainability of their communities. Trapping, hunting and fishing have been identified as activities and resources that require protection.

The Project has the potential to directly affect the land, waters, plants and animals on and in the vicinity of the Project Site, and consequently the use of these lands and resources for traditional purposes. Measurable project-related changes to the land, water, plants and animals used by Aboriginal peoples are identified in the Aquatic Environment and Terrestrial Ecology TSDs and the results of those analyses are considered in relation to this VEC.

The EIS Guidelines require the consideration of effects to hunting, trapping, fishing and gathering.

5.1.3 Summary of Valued Ecosystem Components Selected for Assessment of Aboriginal Interests

Table 5-1 provides the list of VECs selected for this TSD, a summary of the rationale for their selection, and the associated indicators and measures.

Table 5-1: Valued Ecosystem Components Selected for Aboriginal Interests

Valued Ecosystem Component	Rationale for Selection	Indicators	Measures
Aboriginal community characteristics	The Project may affect the economic base and educational attainment of Aboriginal communities	Project Aboriginal employment Project contracts awarded to Aboriginal businesses Education and training of Aboriginal people	Project-related employment opportunities Project-related expenditures Project-related education and training
Aboriginal heritage resources	Aboriginal heritage resources such as archaeological sites may be affected by the development of Project lands Specific cultural or spiritual sites may be affected by the development of Project lands	Identified archaeological sites and artifacts Cultural or spiritual sites	Project-related disturbance of archaeological sites Restricted access or disturbance of cultural or spiritual sites

Table 5 1: Valued Ecosystem Components Selected for Aboriginal Interests (Continued)

Valued Ecosystem Component	Rationale for Selection	Indicators	Measures
Traditional use of land and resources	Aboriginal people have traditionally made use of lands and resources for their personal and community needs The Project may affect plants, animals and fish that have been traditionally harvested and consumed by Aboriginal people	Adverse effects identified on the aquatic environment Adverse effects identified on the terrestrial environment Availability and quality of country foods	Loss of fishing opportunities Loss of hunting, trapping and plant harvesting opportunities Project-related changes to source and safety of country foods

The VECs detailed in Table 5-1 provide the endpoint for the assessment. Details on each of these VECs and their associated indicators and measures are provided in Section 6.3 of this TSD and represent the existing conditions that may be affected by the Project.

5.2 Precautionary Approach

Environmental assessments are forward-looking planning tools, used in early stages of project development. As such, environmental assessments are based on a precautionary approach. This approach is guided by judgement, based on values, and intended to address uncertainties in the assessment. This approach is consistent with the Canadian government's framework for applying precaution in decision-making processes.

This TSD applies a precautionary approach similar to all other TSDs to the assessment of potential Project effects. The Project is conservatively considered, and effects are advanced through the assessment process where an interaction with Aboriginal Interests is possible. The evaluation of effects is based both on regulatory compliance and on predicted changes to the existing environment. This captures and assesses changes to the existing environment that may fall outside or below applicable regulatory frameworks. In addition, all residual effects are assumed to occur and assessed for significance.

6.0 EXISTING CONDITIONS

6.1 Methods and Information Sources

The description of the existing conditions relevant to Aboriginal Interests TSD and information on the associated VECs, was developed through a review and synopsis of the following general information and Project-specific studies:

- Review of secondary data, including previous or similar EIS studies and existing information published by Aboriginal communities, organizations, universities and government.
- Aboriginal engagement through the environmental assessment.
- Traditional use studies conducted for this TSD.

6.1.1 Secondary Data Review

Secondary data reviewed for this report included literature pertaining to Aboriginal and treaty rights and publicly available information about Aboriginal communities with an interest in the Project. Information was obtained from the following sources:

- Aboriginal Affairs and Northern Development Canada website (AANDC 2012a).
- Treaty 3 Report (AANDC 2012b).
- Community Websites, including:
  - Fort Frances Chiefs Secretariat (FFCS 2012).
  - Lac des Milles Lac First Nation (LDMLFN 2012).
  - Métis Nation of Ontario (MNO 2012).
- Grand Council of Treaty 3 website, Grand Chief's Office (Grand Council of Treaty 3 2010).
- Existing traditional use studies, including reports shared by Lac de Mille Lacs (Lovisek undated-a and undated-b) and Mitaanjigamiing First Nations (Smith 1994).

6.1.2 Aboriginal Engagement

An extensive engagement program with Aboriginal communities and people was undertaken as part of the EA studies. The results from this engagement provided valuable background and local cultural and environmental information for the assessment. Most importantly, it allowed OHRG to hear and understand Aboriginal issues and concerns.

Records of communication, including correspondence, meetings notes, workshops, site visits and telephone calls were reviewed. Full details regarding communication activities and feedback received are provided in Chapter 7 of the EIS/EA Report.

OHRG has invested in creating positive relationships with the Aboriginal communities who have an interest in the Project. Through ongoing information sharing, community investments and partnerships, OHRG has

effectively engaged identified Aboriginal communities throughout the Project planning process. To this end, OHRG received formal letters from all three of the key Aboriginal groups involved in the Project. The Lac de Mille Lacs First Nation, Fort Frances Chiefs Secretariat and the Métis Nation of Ontario all sent letters stating that OHRG had provided clear and ongoing communications regarding the Project. The letters also recognized OHRG's efforts to engage community members, both Elders and youth.

OHRG plans continued discussions with Aboriginal communities and ongoing communications regarding identified concerns to date. A summary of identified issues and concerns is provided below, categorized as economic, cultural, and environmental. These issues are addressed in the EIS/EA Report.

6.1.2.1 Economic Concerns

Throughout the engagement with Aboriginal communities many community members, committee members, Elders and Chiefs stated the importance of employment and skills training for Aboriginal communities. Given the high unemployment levels and below-average levels of educational attainment among Aboriginal communities, opportunities for employment and skills training are of high importance. The need for ongoing information sharing with communities regarding employment opportunities has also been stated throughout consultation.

Because of the general principle held by many Aboriginal people that current planning activities should take into consideration the potential impacts and benefits to future generations, youth is a large focus for many Aboriginal communities. Youth employment and training opportunities have been stated as one of the key issues in formal letters and speeches by Aboriginal leaders including the Grand Chief of Treaty 3, the President of the Métis Nation of Ontario and the Chief of Wabigoon Lake Ojibway Nation.

Business opportunities are also an important focus for Aboriginal communities. Many communities have indicated their willingness to work with OHRG and their eagerness to be involved in a mutually beneficial business relationship. Information about OHRG's current and future needs has been requested in order to facilitate business planning. For example, the FFCS requested a list of heavy machinery that OHRG anticipates will be used throughout the Project in order to determine if the machinery could be purchased by Aboriginal businesses.

These issues and concerns are addressed through consideration of the Aboriginal Community Characteristics VEC and its associated indicators: employment opportunities; business opportunities; and education and training.

Throughout the development of the Project and during the EA process, OHRG has worked with our Aboriginal partners to provide information about prospective goods, services and positions of employment related to the development of the Project. OHRG has a full time Director of Aboriginal Affairs who works to promote the training and employment of Aboriginal people throughout all phases of the Project, including exploration, construction and operations.

OHRG aims to promote the utilization of Aboriginal enterprises whenever possible in supplying goods and/or services required during the Project. For example, Rainy Lake Tribal Contracting Company was contracted to construct the Sawbill Road. Eva Lake Mining, a Metis Contracting company, has been contracted to maintain the road. Camp Security has been awarded to Synterra Security Solutions and the supply and delivery of diesel fuel products to NDC Energy, both First Nation owned companies.

6.1.2.2 Cultural Issues and Concerns

Both First Nations and Métis people expressed concerns regarding any adverse effect the Project may have on maintenance and continuation of their culture.

The importance of the Ojibway language has been identified as a cultural concern. First Nations communities have stated the importance of communicating in Ojibway to ensure the larger Aboriginal community is informed about the Project. The importance of the maintenance of the relationship of language to the preservation of Aboriginal culture was identified.

Aboriginal people have a spiritual relationship with the land for traditional and cultural purposes. Continued access to medicinal plants, and the ability to harvest plants used for medicine, was identified as an important cultural concern. This concern related specifically to the effects the Project could have on loss of vegetation and restricted access to cultural or spiritual sites, collectively referred to as special sites in this TSD. Throughout our long standing relationship with Aboriginal people in the area, we have been continually reminded that Aboriginal peoples are the keepers/protectors of the land and waters.

Métis communities have cited their ability to continue practicing the Métis Way of Life as an important cultural concern. The Métis community lived in, used and occupied this territory prior to effective control in the region. The Métis community asserts and exercises aboriginal rights throughout its territory, including hunting, fishing (food and commercial), trapping (food and commercial), gathering, sugaring, wood harvesting, use of sacred and communal sites, and use of water.

Throughout the engagement process, OHRG has addressed cultural concerns by providing capacity and allowing time for traditional protocols at each of our Project meetings. Traditional drumming, singing and prayers often take place throughout meetings and Elder's forums. Two pipe and drum ceremonies, as well as a fall ceremony and a spring ceremony have taken place at the Project Site. OHRG is also committed to incorporating Ojibway information materials into our consultation program for the Project. OHRG engaged Ojibway translators for the Elders forums, including traditional use study meetings, and worked with the several individuals from First Nations communities to translate a Project Overview into Ojibway. This Ojibway-language video has been shared with the First Nations in community meetings and workshops.

6.1.2.3 Environmental Concerns

Throughout communications and engagement events, OHRG heard many concerns about potential long term effects of the Project on the environment. Although the focus of these comments is often expressed through the importance of the whole and interconnected environment, environmental concerns are largely related to potential effects to water quality, ricing areas, and the health of fish, and animals that live near the Project Site.

Environmental concerns raised by Aboriginal communities have been addressed in a fulsome way in the EIS/EA Report and associated TSDs. Specific concerns have also been and will continue to be addressed in plain language presentations provided to Aboriginal communities. Healthy fish and animals are important for ongoing traditional land use and the ability to consume country foods in the vicinity of the Project Site. These specific environmental concerns are considered directly through the assessment of a Traditional Land Use VEC.

Many comments have also been received with regards to Project closure; environmental monitoring and OHRG's ability to assure the Project Site will not be abandoned as has occurred in past mining projects within the region. OHRG has included Aboriginal communities in the closure planning process through a series of

presentations and ongoing information sharing. The long term monitoring plan for the Project will include direct participation of Aboriginal communities, as described further in Chapter 8 of the EIS/EA Report.

6.1.3 Traditional Use Study Design

OHRG conducted a Traditional Use Study (TUS) to better understand how Aboriginal people and communities use the land that could be directly affected by the Project. The methods for the TUS were developed based on:

- Principles outlined under the Canadian Environmental Assessment Agency guide "Considering Aboriginal traditional knowledge in environmental assessments conducted under the *Canadian Environmental Assessment Act* – Interim Principals" (CEAA undated).
- Input from First Nations Chiefs and elders, including those most likely to be affected by the Project, as detailed in Chapter 7 of the EIS/EA Report.
- Academic Review and critique by Professor McPherson of Lakehead University (Appendix 6.I).

6.1.3.1 CEAA Principles

The guide "Considering Aboriginal traditional knowledge in environmental assessments conducted under the *Canadian Environmental Assessment Act* – Interim Principals" (CEAA undated) advocates the following voluntary interim principles. The principles are intended to provide a framework for the consideration of Aboriginal traditional knowledge and land use information, where it has been determined that the provision of this information is both desirable and appropriate. These interim principals are as follows:

- Work with the community.
- Seek prior informed consent.
- Access Aboriginal traditional knowledge with the support of the community.
- Respect intellectual property rights.
- Collect Aboriginal traditional knowledge in collaboration with the community.
- Bring Aboriginal traditional knowledge and western knowledge together.

6.1.3.2 Input from Chiefs

OHRG presented an overview of the proposed TUS approach to the Chief of Lac des Mille Lacs First Nation on March 18, 2012 and to the Fort Frances Chiefs Secretariat (FFCS) on March 19, 2012. The FFCS approved the approach but recommended conducting interviews with Elders in groups, instead of the individual Elder interviews initially proposed by OHRG. The FFCS recommended three group meetings:

1) The first group meeting should include an explanation of the goal of the study, a presentation of the study area with maps for the Elders to take-away and a presentation of the interview questionnaire.
2) The second meeting should be scheduled to take place approximately two weeks later, and include actual gathering of information through the questionnaire presented at the first meeting.
3) A final meeting should be scheduled to present the results once the information has been compiled.

A summary of these discussions is provided as part of the Aboriginal Engagement record in Chapter 7 of the EIS/EA Report.

6.1.3.3 Academic Review

OHRG engaged Professor Dennis McPherson to provide an academic review of the TUS approach. The purpose of an academic review was to ensure that the approach to seeking land use information would:

- Meet the outlined TUS objectives.
- Be defensible to regulators and Project stakeholders.
- Represent a reasonable effort to gathering land use information.
- Be respectful of the cultural and social context.

The TUS approach, request for proposal for Professor McPherson's assignment, his review and comments, the call for participants notices are provided in Appendix 6.I.

The academic review found the methods to be mostly adequate to meet these purposes outlined above. However five recommendations were provided. Table 6-1 provides a summary of the recommendations and the action that was taken based on each recommendation.

Table 6-1: Summary of Traditional Use Study Review Recommendations and Actions Taken

Recommendation	Accepted?	Action Taken
A literature review of traditional use reports for planned or existing projects within NW Ontario may be limited to comparable data without any historical connecting information relative to the Hammond Reef Gold Project.	Yes	Formally requested Traditional Use Study information from identified First Nations. Received and reviewed information from Mitaanjigamiing First Nation (Smith 1994). Broader cultural connection was provided through historical context outlined in Cultural Heritage Assessment TSD.
Enhancement of the workshops with follow-up random administration of survey questionnaires within the identified First Nations communities. Conceptual design of the questionnaires should address data collected in the workshops.	Yes	Held community open house events in seven First Nations communities. Administered land use surveys with similar questions to those that provided the focus of the Elders workshops.
A review of the Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans, 2nd edition (TCPS2) should be undertaken paying particular attention to Chapter 9, Research Involving the First Nations, Inuit and Métis Peoples of Canada.	Yes	Policy statement was reviewed and summary of applicable points were provided by Golder (2012) in their technical memo on the subject. The appropriate points were considered and incorporated into the TUS design.
Informed consent should be obtained from all participants.	Yes	Although formal signatures were not obtained due to sensitivities and general mistrust of some participants to "sign off" on the study, a discussion on benefits and risks to community members and to OHRG was undertaken. Confidentiality of information and anonymity of participants has been maintained.

Table 6 1: Summary of Traditional Use Study Review Recommendations and Actions Taken (Continued)

Recommendation	Accepted?	Action Taken
Analysis of qualitative data gleaned from the workshops may require a hermeneutical approach to interpretation for verification and validation. In addition, analysis of qualitative data collected through administration of a survey will require use of a computer program such as SPSS.	No	The need for this type of data analysis was deemed inappropriate for the level of information collected.

6.1.3.4 Elder Workshops

As recommended by the FFCS, three workshops were organized. A formal call for participants was issued through the FFCS, the Lac des Mille Lacs band administrator and the Wabigoon Lake Ojibway Nation administration. The goal was to identify one to two Elders from each of the nine identified First Nations Communities; up to a maximum of twenty five participants. The call for participants asked for interested individuals with knowledge of land and resource use practices in the area, who are able to travel, and willing to attend three successive meetings to discuss land and resource use with respect to the Project. Informal invitations were also extended through the local OHRG Senior Aboriginal advisor.

The conclusions from the Elder workshops are related primarily to Traditional Land Use and Cultural Heritage. Although the results of these workshops must remain largely confidential, the information exchange was sufficient to address environmental assessment requirements.

6.1.3.5 Community Open Houses

Community open house events were organized for the seven member nations of the Fort Frances Chiefs Secretariat. An open house presentation was also provided to the Lac des Mille Lacs community members at their Annual General Membership Meeting. The primary goals of the open houses were to provide information about the OHRG project through the use of posters and the Project Overview video and to gather land use information to support the TUS. Information was gathered through community surveys, which were designed to be consistent with the larger discussions that took place at the Elders workshops. This approach was consistent with Professor McPherson's recommendations and allowed further assessment and analysis of the country foods indicator for the Traditional Land Use VEC.

6.1.3.6 Individual Interviews

Three individuals were identified as Aboriginal resource users in the local study area. These individuals were identified by community leaders because they are trapline holders and wild rice harvesters in the LSA. The purpose of the interviews was to learn and document the current use of land, trapping and other important biological features to assist in minimizing the impacts the OHRG Project may have on the land. Table 6-2 summarizes the interviews that took place and the general outcomes of each discussion.

Table 6-2: Summary of Individual Interviews with Aboriginal Resource Users

Community	Key Interest	Outcome
Lac des Mille Lacs	Trapline Holder	Confirmed location of trappers cabins Confirmed frequency of use Confirmed important country foods
Seine River	Trapline Holder	Provided locations of special sites Confirmed frequency of use Confirmed important country foods
Seine River	Wild Rice Harvester	Confirmed trap line holders are primary land users of the area Confirmed wild rice is not harvested in the area

6.2 Aboriginal Setting

The information sources identified in Section 6.1 were used to:

1) Provide an overview of **Aboriginal and treaty rights** (Section 6.2.1) as they may be relevant to the assessment of the effect of the Project. Both Métis and First Nation treaties and rights are discussed.

2) A description of **Aboriginal language and cultures** (Section 6.2.2).

3) Identify **Aboriginal communities and people** who might be affected by the Project (Section 6.2.3). Both Métis and First Nations communities are discussed.

The description of existing conditions provides a context within which the assessment is based.

6.2.1 Aboriginal and Treaty Rights

The *Constitution Act, 1982,* defines Aboriginal people as the Indian (also referred to as First Nations), Métis and Inuit peoples of Canada. *Section 35* of the *Constitution* recognizes and affirms the Aboriginal rights of the Aboriginal peoples of Canada.

This report considers both established and asserted Aboriginal and treaty rights. Established rights are those that have been recognized by Canadian law or treaty and accepted by Aboriginal peoples. Asserted rights are those that have not been recognized by Canadian law, but are currently under claim or accepted for negotiation by the Crown. The report does not make a distinction between established and asserted rights, and considers them on an equal footing for the purposes of the environmental assessment.

6.2.1.1 Aboriginal Rights

When considering the definition of an Aboriginal "right" or "interest," the Supreme Court of Canada in *R v. Van der Peet* (1996) has provided some direction. In this decision, the Court stated that an Aboriginal right is an activity which is an element of a practice, custom or tradition integral to the distinctive culture of the Aboriginal people asserting the right. According to the court case the Aboriginal right must have:

- Continuity with the historic practice, custom or tradition.
- Remained integral to the Aboriginal peoples' culture.
- Existed at the time of first contact with Europeans.

- For Métis, existed prior to effective European control.

Aboriginal title is a subset of an Aboriginal right. It is a right to the land itself and confers the right to use the land for a variety of activities, not all of which need be aspects of practices, customs and traditions integral to the distinctive cultures of Aboriginal societies. Aboriginal title can be established based on:

- Occupancy prior to Crown sovereignty.
- Continuity between present and pre-sovereignty occupation.
- Exclusive occupation at the time the Crown asserted sovereignty.

Exclusive occupation does not mean that other Aboriginal groups were not present; rather the historical context must be taken into account when determining which Aboriginal groups have title.

6.2.1.2 Treaty Rights

Treaty rights are those rights expressly set out in treaties and agreements between Aboriginal peoples and the Crown, or subsequently inferred as a result of judicial interpretation. The courts have found that oral promises made at the time of the written treaty can also be part of a treaty right. Treaties often included money or goods in return for which many Aboriginal peoples ceded the land they traditionally used and occupied.

The Project is within the Treaty 3 territory as shown in Figure 4-1. Treaty 3 is a written agreement between the Saulteaux Tribe of the Ojibway Indians and Her Majesty the Queen of Great Britain and Ireland signed in 1873 (AANDC 2012b).

Upon signing, each Chief received a British flag and a treaty medal. Treaty 3 includes an 1875 adhesion (addition to the Treaty) that extends all rights and benefits to the 'Half-breeds' (Métis) of Rainy River and Rainy Lake (AANDC 2012b). The Métis were absorbed into the Little Eagle Band and are now part of the Couchiching First Nation.

Treaty 3 outlined many rights and benefits for signatories, in exchange for the cessation of rights, titles and privileges to 55,000 sq mi of land, currently understood as the Treaty 3 lands (Figure 4-1).

Hunting and fishing rights, Reserve lands and annual payments were the main benefits to Treaty 3 signatories, but additional promises included: maintaining schools on Reserve; providing agricultural implements; and providing a new suit of clothing for each Chief and his subordinates every three years (AANDC 2012b).

In addition, the Treaty stated that Reserve lands may be appropriated for public works at any time with proper compensation.

Questions exist relating to when Treaty 3 was drafted and how the document differs from what was said to the Indians during actual negotiations. Some evidence exists that the Treaty 3 document may have been drafted as early as 1871, and that some oral promises were not included in the official document (Grand Council of Treaty 3 2010).

The "Paypom Treaty" is a document which contains original notes made for Chief Powasson during 1872 treaty negotiations (Grand Council of Treaty 3 2010). Some key points not found in the official Treaty 3 document include:

- The Right to harvest rice within the territory.
- The promise to provide rations every year.
- The promise that the Queen would provide police services.

The "Paypom Treaty" also includes the following gold and silver mine clause:

> *If some gold or silver mines be found in their Reserves, it will be to the benefit of the Indians, but if the Indians find any gold or silver mines out of their Reserves they will surely be paid the finding of the mines* (Grand Council of Treaty 3 2010).

The gold and silver mine clause has been interpreted by First Nations to mean that these two metals are the only mineral rights that the Treaty 3 signatories surrendered.

6.2.1.3 Métis Rights

The Métis assert harvesting and trapping rights throughout most of Ontario. Their hunting and harvesting activities are organized by territories that roughly correspond to the regions shown in Figure 4-1. These represent large areas that are the regional context within which the Project is situated.

Each territory has a Captain of the Hunt, designated by the Métis Nation of Ontario (MNO). The Captain of the Hunt has authority over Métis hunts, issues harvesting certificates and gathers information on the number, species and location of animals taken. The RSA includes part of two hunting territories, the Rainy Lake/Rainy River and the Lake of the Woods/Lac Seul. The LSA includes a small part of the Rainy Lake/Rainy River harvesting territory.

The 2004 "Powley" Supreme Court Ruling which upheld a Métis person's constitutional right to hunt in their traditional territory is very important to Métis – especially in Ontario. Based on this court decision, the MNO concluded an Interim Harvesting Agreement with the Ontario Ministry of Natural Resources (MNR) which recognized, to some extent, their right to self-government and to take an active role in natural resource management (MNO 2012). The Agreement allowed the MNO to issue up to 1,250 harvesting cards per year in Ontario, which would be recognized by the Government of Ontario, through the MNR. The limit of 1,250 Métis harvesting cards was reached in 2008, and the MNO is currently in negotiations with MNR to increase that number (MNO 2012).

6.2.2 Language and Culture

Treaty 3 was signed with the Saulteaux Indians, Algonkian people known to the Americans as Chipewas and the British as Ojibwa, Ojibway, Ojibwe or Ochipwe. The name Saulteaux was given to this group of people by the French and means "people of the rapids". The name Algonkian people give themselves is Anishinaabeg, the plural of Anishnabe, meaning "original man". The Anishnabe Nation was traditionally made up of four tribes: Potawatomi, Ottawa, Mississauga and Saulteaux. Much of the Saulteaux population lived in the present-day United States, however the Canadian tribe traditionally occupied lands extending from Lake Superior in the east to the edge of the Prairies in the west, south to Rainy River and Lake of the Woods, and north to the height of land from which the rivers flow into Hudson Bay (Daugherty, 1986).

6.2.2.1 First Nations

The Saulteaux were traditionally nomadic people who travelled according to the seasons. In the autumn, they fished and harvested wild rice which grew in the shallows of the lakes. In the winter, they scattered to hunt moose, then began gathering together again for spring and summer to hunt beaver and fish for pike and pickerel (Daugherty, 1986). A fundamental Anishinaabeg belief is that they are stewards of the land that was given to Nanabush, the first man.

The traditional language of the Anishnabe Nation is Ojibway, although English is also a predominant language. Knowledge of their Aboriginal language is still present in close to 40% of the population in many communities within the RSA. The Fort Frances Chiefs Secretariat has been working on an Education Jurisdiction Transfer that will create a separate school board and enable a culturally-focussed curriculum, including an Ojibway immersion program. The Ojibway language continues to be used during prayers, oral history and traditional story telling.

The Powwow is an important cultural practice that continues to this day. All our First Nation community partners hold an annual powwow every summer; furthermore, Seine River also holds a mid-winter Powwow.

The Anishnabe were traditionally a matriarchal society. Numerous politically independent bands were linked by marriage to create a larger nation. Lineage was followed through the mother, and clan mothers were selected based on a hereditary system. The society also included sachems, or chiefs, selected by the clan mothers to make speeches and deal with trading partners.

The “seven generation” concept is very important in the Anishnabe Nation. This concept is based on the seven fires prophecies. The traditional teaching is to make decisions with the seventh generation in mind, which is a concept that is difficult for many Euro-Canadians to grasp. An Ojibway community operates by consensus and does not approach a project with the mindset that they would like to get whatever benefits they can as quickly as possible. The mindset is to think things over carefully, communicate with one another and consider what effect decisions made today could have on people born 120 years from now.

Throughout the Aboriginal engagement process, OHRG has heard from Aboriginal communities that Aboriginal culture is important. OHRG has addressed cultural concerns by providing capacity and allowing time for traditional protocols at each of our Project meetings. Traditional drumming, singing and prayers often take place throughout meetings and Elder’s forums. Two pipe and drum ceremonies, as well as a fall ceremony and two spring ceremonies have taken place at the Project Site.

Throughout the construction and operations phases of the Project, the established Social and Cultural Committee will provide oversight and direction for appropriate ceremonies and protocols that should be respected. The committee will also promote cross cultural awareness and bring forward suggestions for cultural investment opportunities.

Traditional knowledge has been incorporated into the environmental assessment through the provision of capacity for traditional protocols during the consultation process and the consideration of information provided into the Project design. OHRG has routinely followed advice provided by elders to include drumming and dancing in Project meetings. Information provided by First Nations has allowed OHRG to avoid placing infrastructure in areas that are recognized as being special or sacred sites. The effluent treatment plant discharge location and tailings management facility location have both been adjusted to minimize potential

impacts to areas with environmental value as identified by Aboriginal communities. OHRG also plans to use traditional knowledge to inform the development of an appropriate fish relocation plan for Mitta Lake and other fish-bearing water bodies that will be affected by the Project. OHRG recognizes that speaking and hearing the Ojibway language is an important part of Aboriginal culture in the identified Aboriginal communities. OHRG is committed to incorporating Ojibway information materials into our consultation program for the Project. OHRG engaged Ojibway translators for the Elders forums, including traditional use study meetings, and worked with the several individuals from First Nations communities to translate a Project Overview into Ojibway. This Ojibway-language video has been shared with the First Nations in community meetings and workshops.

6.2.2.2 Métis Way of Life

The Métis community lived in, used and occupied the regional area prior to effective European control. The Métis community asserts and exercises aboriginal rights throughout its territory (MNO Region 1), including hunting, fishing (food and commercial), trapping (food and commercial), gathering, sugaring, wood harvesting, use of sacred and communal sites, and use of water.

In March 2012, OHRG signed a Memorandum of Understanding (MoU) with the Métis Nation of Ontario, including four identified Métis community councils (Kenora, Sunset Country, Northwest, and Atikokan). The MoU provides capacity for community feasts and a traditional use study in the Project area, both which provide tangible support for the Métis Way of Life.

Four community feasts took place in 2012. The community feasts were held in the four regional communities where the Métis community councils are located: Atikokan, Fort Frances, Kenora and Dryden. The community feasts provided an opportunity for OHRG to share project information and gave community members the chance to ask questions about the Project. Equally as important, the community feasts provided an opportunity for the Métis community members to gather together and celebrate their way of life. Feasts included speeches by local Métis youth about the importance of the Métis way of life, fiddling and dancing; and a speech by Gary Lipinski, the President of the Métis Nation of Ontario. Mr. Lipinski spoke about the Métis support for the Project and the positive relationship with OHRG, the importance of employment for Métis youth and the need for ongoing environmental monitoring.

6.2.3 Aboriginal Communities

The following sections identify and provide a brief overview description of each of the Aboriginal communities that has the potential to be affected or is interested in the Project. The communities are identified as First Nations and Métis. It should be noted while First Nations have specific reserve lands Métis people are fully integrated within the broader community. Consequently the description of the Métis communities is necessarily limited.

6.2.3.1 First Nations Communities

First Nations people have Aboriginal and treaty rights that may be affected by the Project. The identified communities are the communities with which OHRG has an agreement. Although direct Project activities only have the potential to affect a few members of Seine River and Lac des Mille Lacs First Nation (those with traplines directly in the Project area), communities within the RSA have the opportunity to benefit because of Osisko's communication efforts and community investments.

Aboriginal engagement for the Project focussed on nine identified First Nations communities as shown in Figure 4-2. These nine communities have been identified by the Crown as having an interest in the Project and having triggered the duty to consult on the Project. A brief description of each community is provided below.

As shown in the Table 6-3 below, the closest reserve land is the Lac des Mille Lacs First Nation (LDMLFN); however, their lands have been flooded for decades and the majority of the population lives off reserve. Lac La Croix and Seine River First Nation are both located less than 100 km away from the Project and the rest of the communities are located less than 200 km away from the Project Site.

Table 6-3: Identified First Nations Communities

Community	Approximate Distance from Proposed Mine Site (km)	On Reserve population[(a)]	Off Reserve population[(a)]
Lac Des Mille Lacs	41	4	568
	70		
Lac La Croix	77	301	140
Seine River	77	329	405
	103		
Wabigoon Lake Ojibway Nation	106	190	469
Nigigoonsiminikaaning	111	153	198
Mitaanjigamiing	144	98	46
Couchiching	148	654	1,652
Naicatchewenin	157	279	145
Rainy River	184	N/A	N/A

Notes:

N/A = not available.

[(a)] Registered population as of December 2012 (AANDC 2012a).

6.2.3.2 Lac Des Mille Lacs

The closest reserve land to the proposed Project Site, located 41 km from the site as shown in Table 6-3 and in Figure 4-2, is the Lac des Mille Lacs First Nation (LDMLFN). On January 29, 2013 Chief White Cloud of LDMLFN sent a letter to the Canadian Environmental Assessment Agency, Ministry of the Environment and Ministry of Northern Development and Mines. The letter stated that OHRG had provided clear and ongoing communications regarding the Project.

The Lac des Mille Lacs First Nation has two separate and distinct parcels of reserve lands, the Reserve 22A1, and 22A2. Reserve 22A1 occupies 1,518 hectares (ha) 135 km west of Thunder Bay on Lac des Mille Lacs (located and 70 km east of the Project). Reserve 22A2 occupies 3,430 ha of forest and is located 20 km west of Reserve 22A1 on the Firesteel River (and 41 km to the east of the north point of the Project Site) (AANDC 2012a).

Since extensive flooding due to hydro-electric projects and the creation of the Marmion Reservoir forced community members from their homes in the 1950s, few have lived there. While the registered population for

the Lac de Mille Lacs, as of December 2012, is 570 people, only four people live on the Lac de Mille Lacs First Nation reserve (AANDC 2012a). The remaining community members live off Reserve and reside in several communities including Thunder Bay, Atikokan and Dryden.

With the separation of their community from their homes, traditional lands and reserves, and dispersion of community members, Elders and community leaders are concerned that younger generations are not learning about their heritage and traditional knowledge and traditional practices from community elders. There is a strain on the community's spiritual connection to their lands. The community is trying to build up their economic base, while focusing on rebuilding their community spirit, and retaining their history, customs, traditions, practices, and language.

The Chief and Council is committed to repatriating their land on Reserve 22A2, with the goal of developing an economically stable community from which to support future generations. A "Community Site Analysis Feasibility Study" has been completed, and submitted to the Indian and Northern Affairs Canada. Tourism, mining, energy and forestry sectors are the focus of investigation for this new economic development.

The Lac des Mille Lacs First Nation delivers a Post Secondary Education Program for band members and presently have thirty-one (31) students enrolled and being supported. The Lac des Mille Lacs First Nation Administration Office is located in Thunder Bay, Ontario and has a full time staff of ten (10) employees. The First Nation also owns and operates the Savanne River Resort that employs six (6) full time seasonal employees

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Lac Des Mille Lac First Nation through employment, business, and education and training opportunities. There is also the potential for a trapline holder who is a member of LDMLFN to be affected by the Project.

6.2.3.3 Lac La Croix

The Lac La Croix First Nation resides on the Neguaguon Lake 25D reserve, which occupies 6,214.1 ha of land. The community is 40 km west of Atikokan, and can be accessed year round via Highway 11 and Flanders Road. The ancestors of the Lac La Croix people were the Salteaux Ojibway people, who inhabited an Indian settlement at Kawa Bay until they moved to Neguaguon Lake in 1910.

The total registered population of the Lac La Croix First Nation, as of December 2012, is 441 individuals, 301 of which live on their reserve, including 168 males and 133 females (AANDC 2012a). The remaining population lives on other reserves (8 people), and off reserve (132 people). In 2006, the total population was 255 individuals. Historically, the Lac La Croix economy was based on fishing, hunting, gathering, trapping, harvesting wild rice and horticultural practices. In the late 18th century, the fur trade became the dominant economic activity with the influence of the Hudson's Bay Company.

Today trapping, forestry, harvesting of wild rice and guiding are the main forms of employment for the Lac La Croix community. The main industries of employment are the non-government and government service sector. Other industries of employment include construction, a convenience store, and a guiding association owned by the First Nation.

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Lac La Croix First Nation through employment, business, and education and training opportunities.

6.2.3.4 Seine River

The Seine River First Nation has three Reserves; Seine River 23A, Seine River 23B, and Sturgeon Falls 23 (AANDC 2012a). The Seine River 23A reserve is 1,758.8 ha, and is located 64 km from Rainy Lake on both shores of Wild Potato Lake in Seine. The Seine River 23B reserve is 904.5 ha and is located 85 km east of Fort Frances. The Sturgeon Falls 23 reserve is 2,488.9 ha and is located 111 km southeast of Dryden on the north bank of the Seine River (AANDC 2012a). The focus of this baseline assessment will be on the most populated reserve (Seine River 23A).

The registered population of the Seine River First Nation, as of December 2012, is 734. Of this total, 329 people live on the band's reserves, including 153 males and 176 females (AANDC 2012a). The remainder of the population lives off reserve (396). Historically, Seine River's economy was based on fishing, hunting, gathering, trapping, harvesting of wild rice and some horticulture, until the late 18th century when they became involved in the fur trade with the Hudson's Bay Company.

The Seine River First Nation has a local economic development initiative, which includes a serviced campground with 25 sites, docking and boat launching facilities. First Nation members are also employed in the forestry and wild rice harvest industries. The 2006 labour force distribution identifies the industries of employment as other services, agriculture and other resource-based industries, health care and social services, and educational services (AANDC 2012a).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Seine River First Nation through employment, business, and education and training opportunities. There is also the potential for a trapline holder who is a member of Seine River First Nation to be affected by the Project.

6.2.3.5 Wabigoon

The Wabigoon Lake Ojibway Nation has one reserve, Wabigoon Lake 27. The Wabigoon Lake 27 reserve is 5,209.2 ha, and is located 19 km south east of Dryden (AANDC 2012a).

The registered population of the Wabigoon Lake Ojibway Nation, as of December 2012, is 659. Of this total, 190 people live on the band's reserve, including 103 males and 87 females (AANDC 2012a). The remainder of the population lives on other reserves (three people), on crown land (two people), and off reserve (464). The population of the Wabigoon Lake 27 reserve was 145 people in 2006 and 155 people in 2001 (AANDC 2012a).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Wabigoon Lake Ojibway Nation through employment, business, and education and training opportunities.

6.2.3.6 Nigigoonsiminikaaning

The Nigigoonsiminikaaning First Nation (also known as Nicickousemenecaning) is located approximately 40 km east of Fort Frances, 300 km west of Thunder Bay, 300 km east of Winnipeg. The First Nation has four reserves, totalling 4,099.7 ha of land (AANDC 2012a). The most populated reserve is Rainy Lake 26A, located on the south shore of Red Gut Bay in Northwest Rainy Lake.

The registered population of the Nigigoonsiminkaaning First Nation, as of December 2012, is 351 people. Of this total, 153 people live on their reserves, including 75 men and 78 women (AANDC 2012a). The remaining population lives on other reserves (two people), and off reserve (196).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Nigigoonsiminikaaning First Nation through employment, business, and education and training opportunities.

6.2.3.7 Mitaanjigamiing First Nation

The Mitaanjigamiing First Nation's Rainy Lake 18C reserve is accessible by road from the Town of Fort Frances. During the winter the community is more quickly accessible via an ice road, which permissibly crosses the Couchiching First Nation territory. The First Nation's largest reserve is the Rainy Lake 18C reserve, which occupies 1,562.6 ha (AANDC 2012a).

As of December 2012, the registered population of the Mitaanjigamiing Band was 144. Of this total, 98 people live on the band's reserve, including 51 males and 47 females (AANDC 2012a). The remainder of the population lives off reserve (46). In 2006, the population was 95 people, and in 2001, the population was 80 people (AANDC 2012a).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Mitaanjigamiing First Nation through employment, business, and education and training opportunities.

6.2.3.8 Couchiching

The Couchiching First Nation has one populated reserve (reserve 16A) within the Local Study Area occupying 6,422.5 ha adjacent to the Town of Fort Frances on Rainy River Lake (AANDC 2012a). The reserve was established in 1967 on the site of a former Indian agency. The Couchiching First Nation includes Métis descendants who were included in the Treaty 3 through an amendment or adhesion to the treaty, which were previously absorbed into the Little Eagle Band.

The total registered population for the Couchiching First Nation, as of December 2012, is 2,316 people; 664 people live on the Couchiching 16A reserve, and the remaining population lives on other reserves (44 people), on crown land (one person), and off reserve (1,607 people) (AANDC 2012a).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Couchiching First Nation through employment, business, and education and training opportunities.

6.2.3.9 Naicatchewenin

The Naicatchewin First Nation, also known as the Anisinaabeg of Nagaajiwanaang, inhabit a region in the Northwest portion of Ontario comprised in the Northwest Angle treaty of 1873 (Treaty #3). Most of the Naicatchewenin community lives on the Rainy River 17A reserve, located 60 km west of Fort Frances, 420 km west of the city of Thunder Bay, and 450 km east of Winnipeg (AANDC 2012a). The Rainy River 17A reserve totals 1,501.8 ha of land; their other two reserves total 1001.5 ha (AANDC 2012a).

The registered population of the Naicatchewenin Band, as of December 2012, is 424, including 279 people who live on the reserves (AANDC 2012a). The remaining population lives off reserve (145 people). In 2006, the population was 190 people (AANDC 2012a).

Many of Naicatchewenin First Nation residents from all generations still speak the Anishinaabeg language. In 2006, 42.1% of the population had some knowledge of the Anishinaabeg language (AANDC 2012a).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Naicatchewenin First Nation through employment, business, and education and training opportunities.

6.2.3.10 Rainy River

Rainy River First Nation includes former members of the Little Forks, Long Sault and Hungry Hall Bands, whose reserves were surrendered for settlement in 1915. Today, the Rainy River First Nation has two reserves, Long Sault 12 and Manitou Rapids 11 (AANDC 2012a). The Manitou Rapids reserve 11 was first surveyed in 1876 and was confirmed in 1915 by the Ontario government.

In 2006, The Manitou Rapids 11 reserve population was 228, which was a 19.4% increase from 2001. The median age of the population was younger than that of Northwestern Ontario at 27.4 years, (StatsCan 2007). Children and youth (aged 0 -19) made up 37% of the population (AANDC 2012a).

Based on the VECs and indicators shown in Table 5-1, the Project could directly affect Rainy River First Nation through employment, business, and education and training opportunities.

6.2.3.11 Métis Communities

The Métis people emerged out of the relationship between European men and First Nations women. With increased contact and the mixing of cultures, including marriage, a distinct society with distinct communities was created. As the fur trade continued to grow, distinct Métis communities continued to emerge.

The Métis people and their communities were connected through the highly mobile fur trade network, seasonal rounds, extensive kinship connections and a collective identity. The Métis, as a distinct Aboriginal people, assisted in the shaping of Canada's expansion westward through their on-going assertion of their collective identity and rights.

In Ontario, Métis communities are represented by the Métis Nation of Ontario. The MNO was established in 1993 to represent those individuals and communities that are a part of the Métis Nation.

The MNO administers a province-wide governance structure which includes: an objectively verifiable, centralized registry of over 15,000 Métis citizens and approximately 30 Chartered Community Councils across the province which represents Métis citizens at the local level (MNO 2012). The MNO also divides the province into a number of traditional harvesting areas, each of which are assigned a Captain of the Hunt who has authority over harvesting in their respective regions. The Project is located in Region 1: Treaty #3/Lake of Wood/ Lac Seul/Rainy River/Rainy Lake Territory which encompasses four community councils (Figure 4-1).

The Métis assert harvesting and trapping rights throughout most of Ontario, including the Project area, as outlined in a letter addressed to the Canadian Environmental Assessment Agency on February 9, 2012 from the MNO (Appendix 6.II). Key points from the letter are as following:

- The Project lies within the traditional territory of a rights-bearing Métis community.
- The Métis community lived in, used and occupied this territory prior to effective control in the region.
- The Métis community asserts and exercises aboriginal rights throughout its territory, including:
  - Hunting and fishing (food and commercial).
  - Trapping (food and commercial).
  - Gathering, sugaring and wood harvesting.

- Use of sacred and communal sites.
- Use of water.

- In addition, some Métis within this territory have treaty rights, as the descendants of the beneficiaries of the Halfbreed 1 Adhesion to Treaty# 3.

In 1875, the Halfbreeds at Rainy Lake negotiated and signed an Adhesion to Treaty #3 with Canada. The MNO emphasizes that this Adhesion was negotiated by and for a Métis collective as Métis not Indians (MNO, 2012). As such, the personal choices of Métis individuals or families to register as "Indians" historically or in contemporary times could not and cannot extinguish the treaty rights of the Métis collective. In this region, there have always been and remain beneficiaries of the Adhesion who have never been and are not registered as "Indians."

The distinct Métis community has never merged into the Ojibway community. The MNO (2012) also notes that the decisions or actions of registered Indians or Indian Bands in the past or in contemporary times could not have any effect on the treaty rights of the Métis collective, since Indians and Métis are two distinct aboriginal peoples with their own identity and rights.

In March 2012, OHRG signed a Memorandum of Understanding (MoU) with the Métis Nation of Ontario, including four identified Métis community councils (Kenora, Sunset Country, Northwest, and Atikokan). The agreement includes the formation of a consultation committee with specific deliverables. Signatories to the agreement agreed that fulfillment of the deliverables constitutes adequate consultation.

The Project is located in Region 1 (Figure 4-1). Region 1 includes four Métis communities that may be affected by the Project through employment, business, and education and training opportunities. The communities and their approximate distance from the Project Site are provided in Table 6-4 below.

Table 6-4: Identified Métis Communities

Community Council Name	Location	Approximate Distance from Proposed Mine Site (km)
Atikokan Métis Council	Atikokan	35
Northwest Métis Council	Dryden	142
Sunset Country Métis Council	Fort Frances	155
Kenora Métis Council	Kenora	245

6.3 Description of Aboriginal Valued Ecosystem Components

The information sources identified in Section 6.1 and the context provided in Section 6.2 were used to:

1) Describe the existing conditions at the identified **Aboriginal communities** based on the indicators identified in Table 5-1, namely employment, business, and education and training (Section 6.3.1).

2) Identify **Aboriginal heritage and resources** that might be affected by the Project (Section 6.3.2).

3) A description of **traditional land use** (Section 6.3.3)

The description of existing conditions provides the baseline against which changes as a result of the project are predicted, described and assessed.

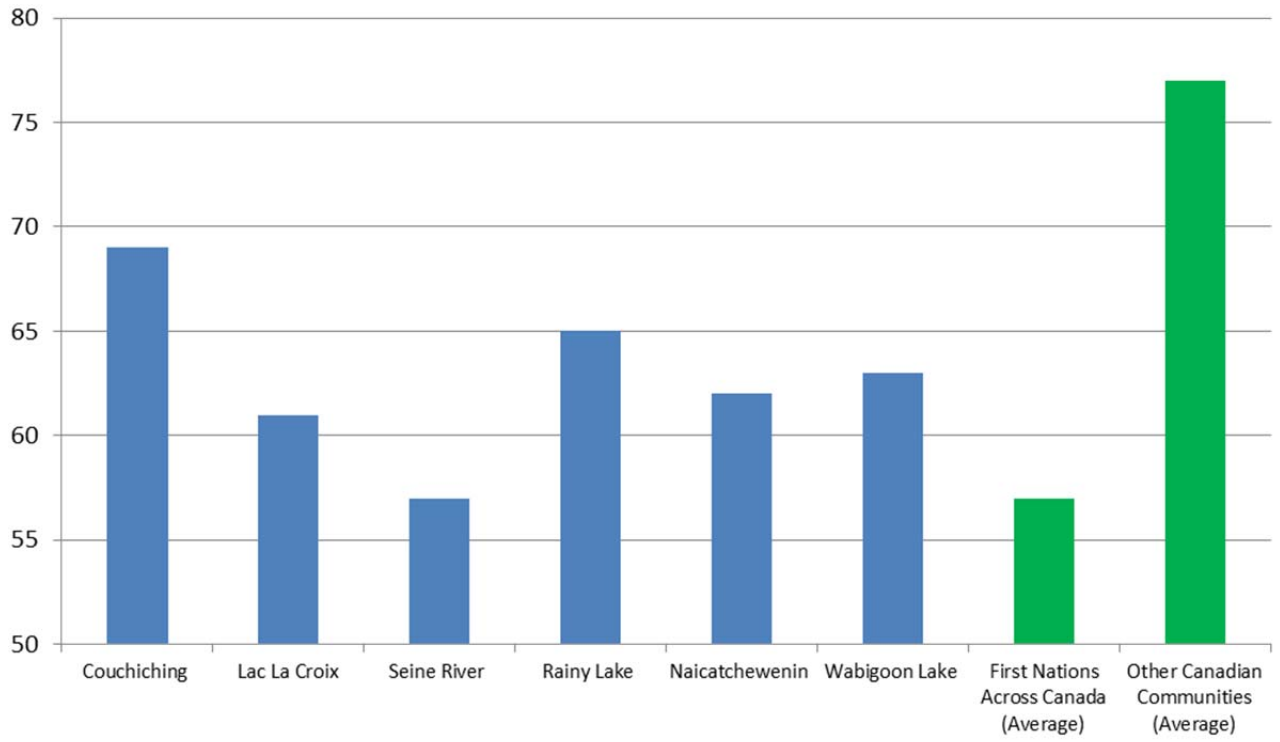
The indicators identified for each of the VECs in Table 5-1 provide the endpoint for the assessment. Details on each of these indicators are provided in Section 5.1.3 and represent the existing conditions that may be affected by the Project.

6.3.1 Aboriginal Communities Characteristics Valued Ecosystem Component

The Aboriginal community characteristics VEC is described for communities within the Regional Study Area (Figure 4-2) in terms of three defined indicators: employment levels, business activities and education attainment. The information presented is largely based on census data, which has not been fully collected for each identified community. Some communities have chosen not to participate in the census (Lac La Croix FN), and others have dispersed memberships that are not currently located on reserve (Lac de Mille Lacs FN).

Although Aboriginal people considered for the Project include both First Nations and Métis, Métis people are fully integrated into the broader community and therefore baseline data on employment levels, business activities and education attainment are not available for the identified Métis communities. Notwithstanding the difficulty in predicting specific employment, business opportunities or education and training effects, OHRG is committed to including Métis people in the economic initiatives targeted for Aboriginal communities and people.

For the purposes of providing some general context, Community Well-Being (CWB) scores are shown in Figure 6-1 below for those First Nations communities who have provided data for this indicator. The CWB index is a tool that was developed by the Government of Canada to provide an overall picture of social, economic and environmental factors in a community. The following CWB scores were derived by Aboriginal Affairs and Northern Development Canada from indicators collected by Statistics Canada's Census of Populations, including education, labour force activity, income and housing (AANDC 2012a).



Source: AANDC 2012a

Figure 6-1: Community Well Being Scores for Identified First Nations Communities Compared to National Averages

All CWB scores for the identified Aboriginal communities within the Regional Study Area are lower than the average score for other Canadian communities and higher than the average for First Nations communities across Canada. The gap in scores between First Nations communities in the RSA and the general Canadian population illustrates an opportunity for education and economic growth in these communities.

6.3.1.1 Employment

Employment has consistently arisen as a key issue to Aboriginal communities throughout the consultation process. When the President of the Métis Nation of Ontario attended the community feast in Fort Frances, he gave a speech which emphasized the importance of employment for Métis youth. Although the Wabigoon Lake Ojibway Nation has confirmed they are not currently harvesting rice within the LSA, they stated that employment for youth from the Project remains a key interest to all Aboriginal communities.

Table 6-5 below provides the total labour force, participation rate, employment rate, unemployment rate and median income for each identified community as reported by Statistics Canada in 2007 as well as for general populations in Ontario. The labour force is the total number of people aged 15 years and over within the community. The participation rate is the total labour force of the community, expressed as a percentage of the total population in that group. A low participation rate would indicate a very young population. The employment rate for a community is the number of employed persons expressed as a percentage of the labour force. Conversely, the unemployment rate is the number of unemployed persons expressed as a percentage of the total labour force.

Table 6-5: Employment and Income for the Identified First Nations Communities and General Populations in Ontario

	Couchiching	Lac La Croix	Mitaanjigamiing	Naicatchewenin	Nigigoonsiminikaaning	Seine River	Wabigoon Lake	Aboriginal Northwestern Ontario	Total Northwestern Ontario	Total Province of Ontario
Total population 15 years and over in the labour force	325	160	60	125	85	180	120	NA	181,880	6,587,580
Participation rate (%)	65.7	63.9	54.5	60.0	76.5	55.6	58.3	NA	64.0	67.1
Employment rate (%)	57.6	55.6	45.5	48.0	70.6	38.9	45.8	48.6	58.7	62.8
Unemployment rate (%)	10.8	13.0	NA	20.0	NA	25.0	21.4	16.1	8.3	6.4
Medium income – persons 15 years and over ($)	$17,877	$15,040	NA	NA	NA	$11,568	NA	$14,562	$25,592	$27,258

Source: AANDC 2012a; StatsCan 2007, Ontario Trillium Foundation, undated

Current unemployment rates reported by the identified First Nations communities, as shown in Figure 6-2 below, are all higher than the unemployment rate for the Province of Ontario. Seine River has the highest reported unemployment rate, at 25%, compared to the Provincial average of 6.4%. Couchiching and Lac La Croix have lower unemployment rates than the average for Aboriginal people in Northwestern Ontario, but are still above the rates for the general population of Northwestern Ontario.

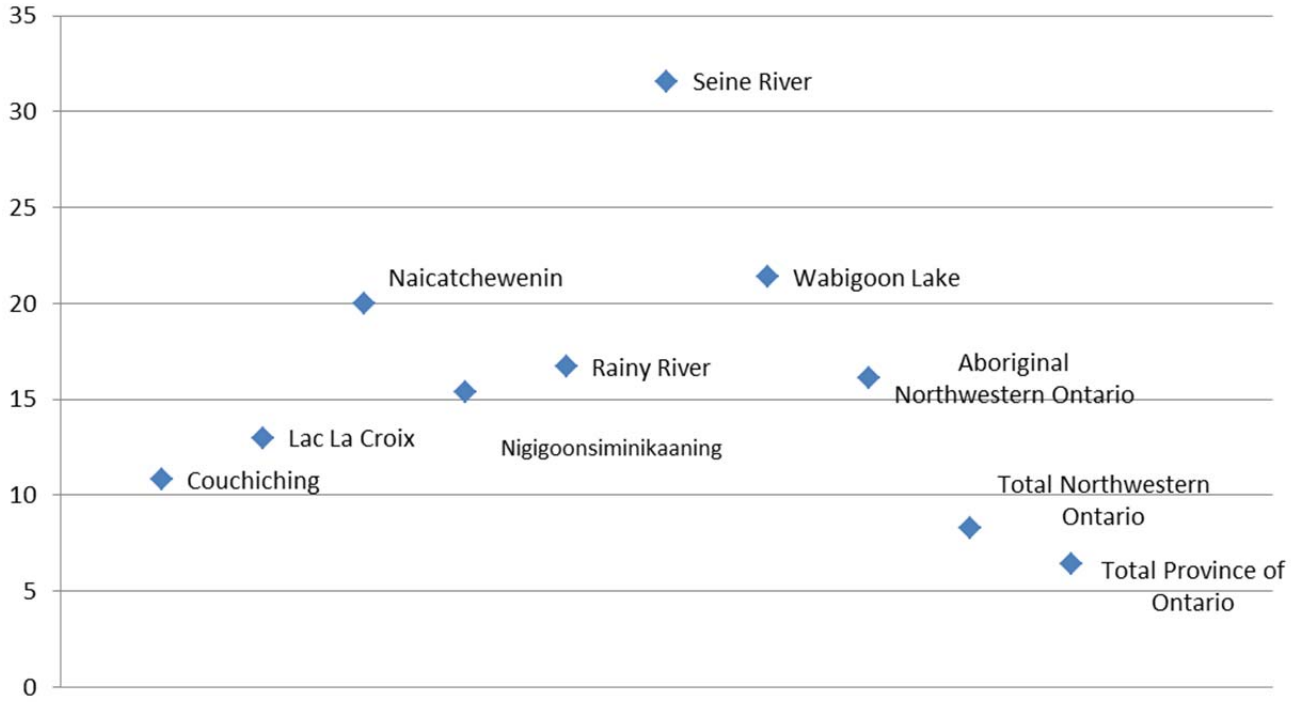


Figure 6-2: Unemployment Rates in Identified First Nations Communities Compared to Provincial Averages

The high unemployment rate in identified First Nations communities illustrates that community members could have an opportunity to benefit from the Project. OHRG is committed to sharing employment information and providing targeted employment opportunities to Aboriginal youth, such as the Summer Experience Program that was carried out on site in 2011 and 2012. Although the Project is not within commuting distance for most of the identified communities, it could offer a good opportunity for workers that are willing to live at site on a rotational basis. This type of work can be beneficial to allow Aboriginal people to continue some of their traditional practices such as hunting and fishing.

The median incomes reported by the identified First Nations communities, as shown in Figure 6-3 below, are all lower than the median income for North-western Ontario and the Province of Ontario. Couchiching is the only community that reported a higher median income ($20,752) than the median for Aboriginal people in North-western Ontario ($16,084), but the community is still below the median income of the general population of North-western Ontario ($26,410).

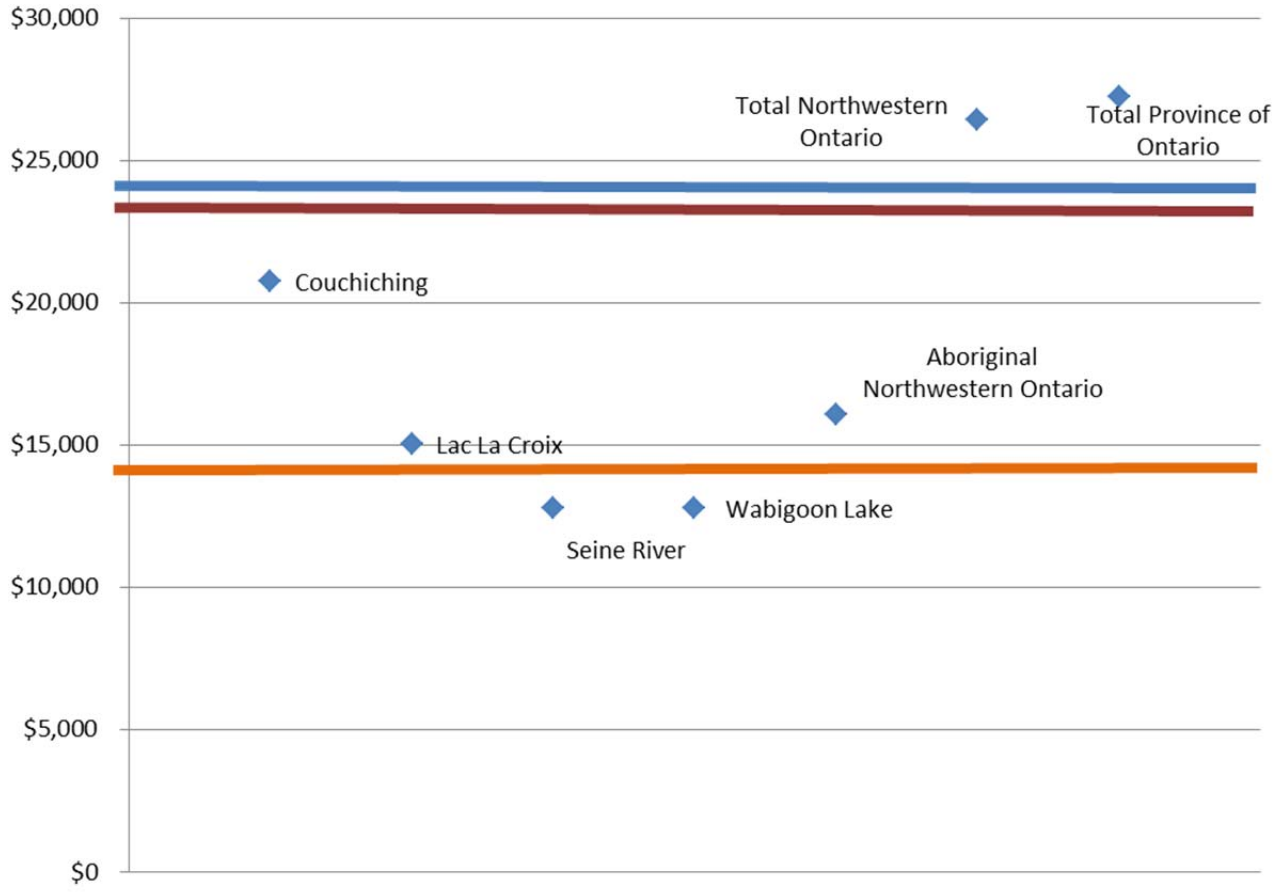


Figure 6-3: Median Income in Identified First Nations Communities Compared to Provincial Averages

Participation in the wage economy, particularly in the resource industry such as mining and forestry, would likely result in an increase in median incomes in the Aboriginal communities.

6.3.1.2 Business Opportunities

OHRG aims to promote the utilization of Aboriginal enterprises whenever possible in supplying goods and/or services required during each phase of the project. The criteria used for the evaluation and awarding of all contracts by OHRG include cost competitiveness, continuity of supply, quality of work and timeliness.

There are a number of Aboriginal businesses within the RSA that are engaged in activities required to supply goods and services to the Project. Examples of these businesses can be seen from the partnerships developed by OHRG in recent years. These partnerships, and the types of services they provide, are presented below.

Eva Lake Mining Ltd.

- Mining Exploration.
- Heavy equipment rentals and floating services.
- Excavating and contract labour.

Rainy Lake Tribal Contracting Ltd.

- General contracting.
- Diamond drilling.
- Road construction.

Naicatchewenin Development Corporation

- Diamond drilling.

Saulteaux Consulting and Engineering

- Engineering support and consulting services.

Synterra Security Solutions

- Site security.

NDC Energy

- Supply and delivery of diesel fuel products.

6.3.1.3 Education and Training

As shown in Table 6-6 below, the educational attainment for the identified First Nations communities is lower than the general population of Ontario, the general population of North-western Ontario, and the Aboriginal population of North-western Ontario.

The percentage of the population within the identified First Nations communities who have completed a high school certificate is illustrated in Figure 6-4. The First Nations community populations are lower than the averages for the population of Ontario and North-western Ontario. All communities also report lower percentages than the overall Aboriginal people in North-western Ontario.

The percentage of the population within the identified First Nations communities who have completed a university certificate, degree or diploma is illustrated in Figure 6-5. Almost all the First Nations community populations have a higher percentage of trades people in their populations than the averages for the populations of Ontario and North-western Ontario or Aboriginal people in North-western Ontario.

OHRG has an education, training and economic development committee in place. This committee will identify future training and business opportunities. It consists of two OHRG representatives and two First Nation representatives.

OHRG is committed to continuing to work with Aboriginal enterprises. For example, OHRG currently has a relationship with the Aboriginal employment agency Seven Generations. Together, OHRG and Seven Generations have been working to increase Project employment opportunities for Aboriginal people in the Regional Study Area. This cooperation includes:

- OHRG provides information to Seven Generations about potential workforce.
- This information allows Seven Generations to apply for government funding for training.

- Should a contract be won and the Project move forward, OHRG would continue to work with Seven Generations for staffing support.
- In addition, OHRG routinely provides funding and capacity for additional training to those Aboriginal enterprises that are awarded contracts to work on the Project.

Table 6-6: Educational Attainment for the Population over 15 Years of Age for the Identified First Nations Communities and General Populations in Ontario

	Couchiching	Lac La Croix	Mitaanjigamiing	Naicatchewenin	Nigigoonsiminikaaning	Seine River	Wabigoon Lake	Aboriginal Northwestern Ontario	Total Northwestern Ontario	Total Ontario
Population (over 15 years)	490	180	60	125	85	180	115	46,455	187,975	9,819,420
No certificate, diploma or degree (%)	39.8	58.3	41.7	56.0	35.3	52.8	52.2	55.1	30.1	22.2
High School Certificate or Equivalent (%)	17.3	16.7	16.7	20.0	17.6	13.9	17.4	18.7	25.2	26.8
Apprenticeship or Trades Certificate Diploma (%)	11.2	8.3	41.7	20.0	35.3	19.4	13.0	7.6	11.2	8.0
University Certificate or diploma below the bachelor level (%); College, CEGEP or non-university diploma	25.5	13.9	0.0	0.0	11.8	19.4	13.0	12.6	21.4	22.5
University Certificate, Degree or Diploma (%)	6.1	5.6	0	0	0	0	8.7	6.0	12.1	20.5

Source: AANDC 2012a; StatsCan 2007, Ontario Trillium Foundation, undated.

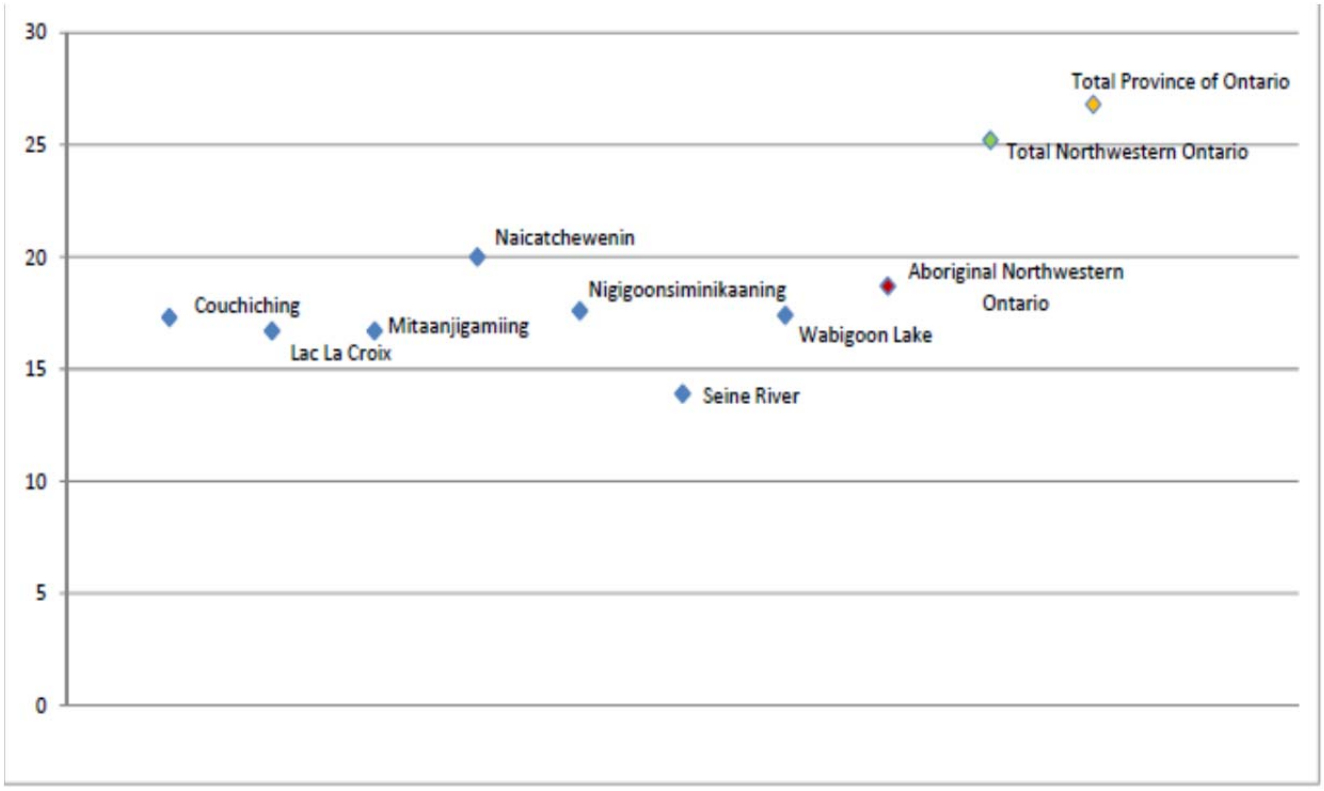


Figure 6-4: Percentage of First Nations Community Populations with High School Certificate or Equivalent Compared to Provincial Averages

In summary, the percentage of the population within the identified First Nations communities who have completed a high school certificate ranges from 13.9% (Seine River First Nation) to 20.8% (Naicatchewenin First Nation). This percentage is lower than the percentage of the population of Ontario, Northwestern Ontario and Aboriginal Northwestern Ontario which are all close to 26% (26.1 to 26.8). The lower high school completion rates in identified First Nations communities illustrates that education is an area where the communities could benefit from Project related opportunities.

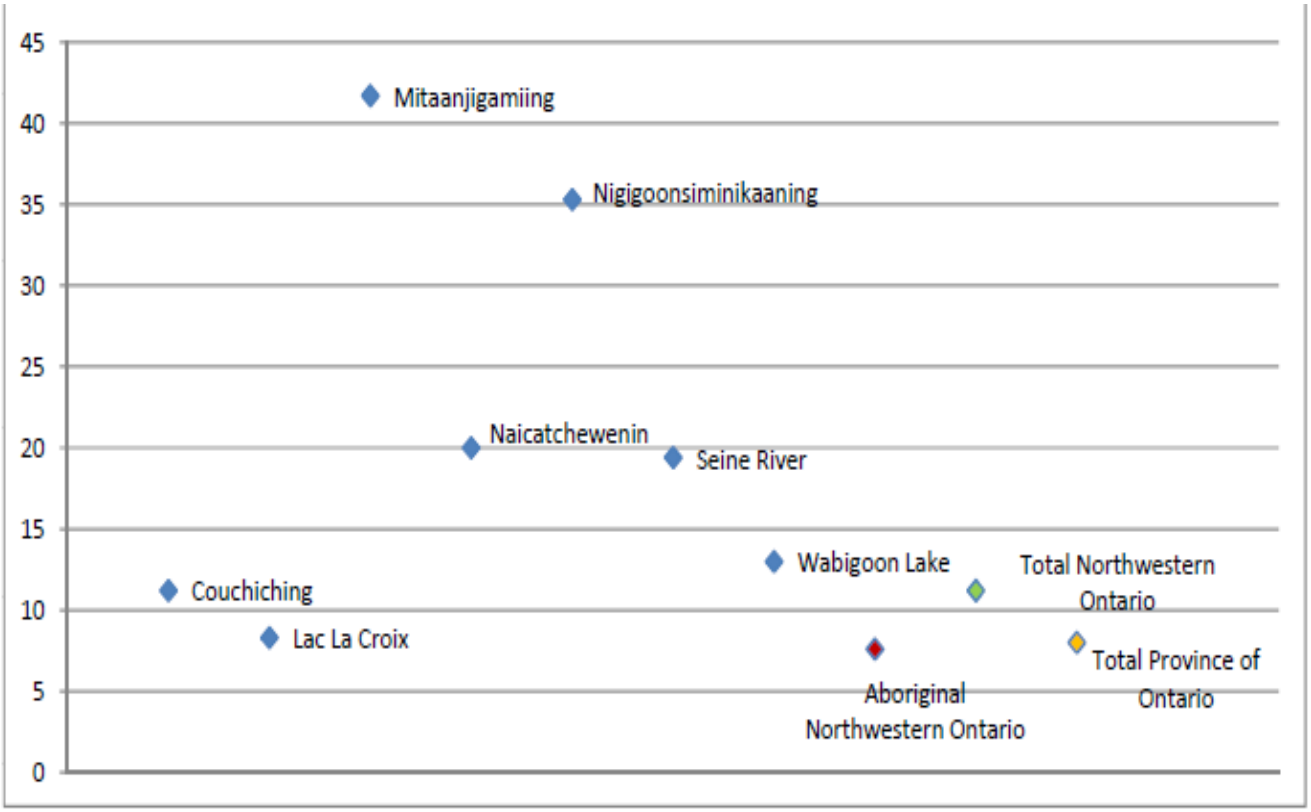


Figure 6-5: Percentage of the First Nations Community Populations with an Apprenticeship of Trades Certificates Compared to Provincial Averages

In summary, the percentage of the population within the identified First Nations communities who have an apprenticeship or trades certificate ranges from 41.7% (Mitaanjigamiing First Nation) to 8.3% (Lac La Croix First Nation). The level of skilled trades in the communities are all above the percentage for Aboriginal Northwestern Ontario (7.6%) and most are also above the percentage in Ontario (8.5%) and Northwestern Ontario (11.2%). The high percentage of skilled trades in the population of the identified First Nations communities illustrates that the communities could benefit from Project related opportunities.

6.3.2 Aboriginal Heritage Resource Valued Ecosystem Component

Heritage resources were identified as being important to Aboriginal people. Heritage resources are defined as archaeological artifacts and culturally special sites. Archaeological resources and artifacts represent material evidence of past uses of the land. These resources could be destroyed or disturbed through any land clearing or construction activities associated with the Project. Culturally special sites represent areas that are currently used by Aboriginal people to practice cultural ceremonies or important traditions. These sites could also be disturbed through land clearing or construction. Additionally, the ability of Aboriginal people to reach these sites could be impacted through restriction of access during any phase of the Project.

6.3.2.1 Stage 1 and 2 Archaeology Assessment

A Stage 1 archaeological assessment was completed in the fall 2011. The conclusions from the Stage 1 assessment are detailed in the Cultural Heritage TSD and are summarized as follows:

- A Stage 2 assessment should be undertaken in areas that will be disturbed and have been identified as retaining archaeological potential.
- Stage 2 testing should consist of hand-excavated test pits placed at intervals of five and ten metres.

A Stage 2 archaeological assessment was completed in the fall of 2012. The conclusions from the Stage 2 assessment are detailed in the Cultural Heritage TSD and are summarized as follows:

- No significant archaeological sites and artifacts were found, with the exception of two late 19th century to mid-20th century mine sites, which are likely to be affected by the Project.
- Two historic mining operations reside within the footprint of the proposed development, the Hammond Gold Reef Mine, located on the northern limit of the Mitta Lake Peninsula, and the Sawbill Mine, located within the footprint of the proposed waste rock/overburden stockpile. In both cases, cultural remains exist that illustrate the location of the abandoned mining operations.

No Aboriginal archaeological sites or artifacts were found within the LSA; therefore, the Project does not have the potential to impact archaeological resources.

6.3.2.2 Identification of Special Sites

Special sites were identified through two separate Traditional Use Studies carried out with First Nations and Métis people.

6.3.2.2.1 First Nations

Special sites were identified and locations were provided to allow OHRG to avoid disturbing any sites from land clearing activities or placement of Project infrastructure. Information about the nature of the special sites will be kept on file and reviewed regularly as part of the mine planning to ensure that new plans are not made which would encroach on these areas. Detailed mine plans will be shared with First Nations before construction begins to ensure special sites are not impacted.

6.3.2.2.2 Métis

Similarly to First Nations, special sites were identified by the Traditional Knowledge Study conducted by the Métis Nation of Ontario and locations were provided to allow OHRG to avoid disturbing any sites from land clearing activities or placement of Project infrastructure. Information about the nature of the special sites will be kept on file and reviewed regularly as part of the mine planning to ensure that new plans are not made which would encroach on these areas. Detailed mine plans will be shared with the Métis Nation of Ontario before construction begins to ensure special sites are not impacted.

6.3.3 Traditional Land Use Valued Ecosystem Component

Two Aboriginal land use studies were carried out for the Project. The OHRG led a study focussed on the identified First Nations communities, and the Métis Nation of Ontario led their own study. The First Nations land

use study was carried out following the advice and direction of the Chiefs from the communities. The results of these two studies are summarized below, recognising the confidential nature of some of the material.

6.3.3.1 First Nations Traditional Use Study

6.3.3.1.1 Elders Workshops

In the summer and fall of 2012 OHRG conducted a series of Elders workshops to better understand traditional land use in the Project area. The workshops determined that First Nations participate in a variety of land use activities including hunting, trapping, fishing, plant harvesting, and collection of natural items.

The detailed findings of the Elders workshops remain confidential and will not be published at this time. The information was shared with OHRG to facilitate the Project planning process and Golder Associates to facilitate the environmental assessment work. Members of the Golder Associates team - a terrestrial biologist, an aquatic biologist, and a culture heritage specialist attended the workshop. The following paragraphs provide a summary of the responses of the environmental specialists to the issues identified in the workshop, particularly those relating to the loss of terrestrial and aquatic habitat and species.

Of the forested ecosites with a potential to support a high number of traditional use plants, there will be a loss or disturbance of 399.94 hectares (ha) out of 2932.86 ha available in the LSA. This forest community loss equals approximately 14% of the habitat available in the LSA for a high number of these traditional use plant species. As determined through the TUS, Aboriginal people harvest traditional use plants from a vast area, comparable to the RSA and beyond. Therefore, the loss of forested ecosites with a high potential to support traditional use plants in the RSA would be <1% and therefore negligible.

A rich conifer swamp (ecosite W32, discussed in the Terrestrial Ecology TSD) was identified as having the potential to support a high number of traditional use plants. Other swamp communities were identified as having the potential to support a moderate number of traditional use species. Based on this evaluation, there will be a loss or disturbance of approximately 215 ha of these swamp ecosites out of approximately 1,033 ha in the LSA. This swamp wetland community loss equals approximately 21% of the habitat for a moderate to high number of these traditional use wetland plant species. However, the traditional knowledge studies identified that plants and berries are harvested in the larger RSA and beyond. The removal of all wetland communities due to the Project footprint equals 0.03% of the RSA and thus is expected to have a negligible effect on the traditional use plants in wetlands.

Several individuals use the Upper Marmion Reservoir for fishing (both subsistence and commercial). These individuals use both modern and aboriginal methods of fishing to obtain fish that may be distributed among local clans. Consideration of the effects of the Project on these individuals is provided in Section 7.

An important concern for this area, in terms of Aboriginal values, is the maintenance of healthy, robust fish populations, particularly those species that have cultural significance. Locations in Upper Marmion Reservoir and its vicinity that are known spawning areas for walleye, are important. A detailed assessment of the potential effects of the Project on the aquatic habitat and species is provided in the Aquatic Biology TSD. While some adverse effects are identified, mitigation and compensation measures are also identified to ensure the effects are not significant overall.

There is interest among Aboriginal peoples in giving ceremonial recognition to the loss of Mitta Lake. OHRG has facilitated several spiritual ceremonies at the Project Site, including a Pipe and Drum Ceremony at Mitta

Lake. These ceremonies will continue throughout the Project development. First Nations people will also be given the opportunity to participate in the planning and implementation of the fish relocation plan at Mitta Lake.

6.3.3.1.2 Individual Interviews

Three individuals were identified as Aboriginal resource users in the LSA. The purpose of the interview was to learn and document the current use of land, trapping and other important biological features to assist in minimizing the impacts the OHRG Project may have on the land. These individuals were identified because they are trapline holders and wild rice harvesters.

The results of the individual interviews showed that trapping, hunting and fishing are important in the area. Some plant harvesting also occurs.

Interviewees visit their traplines regularly, and most often in the fall when the trapping season for beaver is open. Before freeze-up the animals must be gathered every day or their fur will spoil. Throughout the winter traplines are visited about twice a week. Trapping is generally avoided in the spring because the females are nursing.

Animals trapped include beaver, marten, otter, fisher, mink, fox, weasel, squirrel, and rabbits. Lynx and wolves are trapped by some but not others.

Beaver are generally considered the most important animal trapped on the lines. Beaver fur is sold at auction and beaver carcasses are used for baiting other animals. Some report eating beaver and muskrat meat, others do not eat meat from trapped animals. Quotas on the traplines range from 60 to 120 beavers, but trappers do not often meet the quotas. Interviewees reported a period of 5 to 15 years since full quota for beaver were met.

Interviewees indicated that they primarily travel to the area by truck using Premier Lake Road. Motor boats, canoes and skidoos are also used to travel throughout the area. The cabins in the area are used regularly, especially during the warmer months. It was stated that trappers stay in their cabins a few times per month in the summer and fall. Trappers may also stay in nearby outfitters cabins that provide more amenities.

Drinking water is normally carried in to the area from Town, but interviewees also stated that they drink water from any of the lakes in the area. Drinking from beaver ponds is avoided.

Interviewees stated that they hunt opportunistically while setting traps or fishing. Most of the hunting is carried out in the fall. Animals that are hunted in the area include deer, moose, rabbit, partridge, and duck. Moose is the primary meat that is eaten from the area.

Sawbill Bay was identified as the best place for fishing in the area. Small lakes near trappers cabins are also used for fishing. Fishing occurs throughout the year. Fish in the area include walleye, northern pike, bass and trout. Suckers and whitefish are caught and used for bait. It was stated that there are no sturgeon in the area.

Interviewees stated that some plant harvesting occurs in the area. Blueberry picking is important for food and commercial enterprises. Up to one hundred pails of blueberries may be picked and sold every year.

Interviewees stated that wild rice is not harvested in the area. Some efforts have been made to plant wild rice without success, likely because of the rocky environment and fluctuating water levels. Although the wild rice plant can be found, it is not abundant enough to warrant the effort of harvesting.

6.3.3.1.3 Community Surveys

Community land use surveys were administered to each of the seven First Nations who invited OHRG into their communities. Sixty-seven individuals completed a land use survey. The results of the community surveys showed that fishing, hunting and harvesting berries and medicinal plants and visiting spiritual sites are practiced within the study area. As shown in Figure 6-6 below, more than half of the respondents (65%) stated that they fish in the area, whereas less than one third (31%) stated that they harvest medicinal plants in the area.

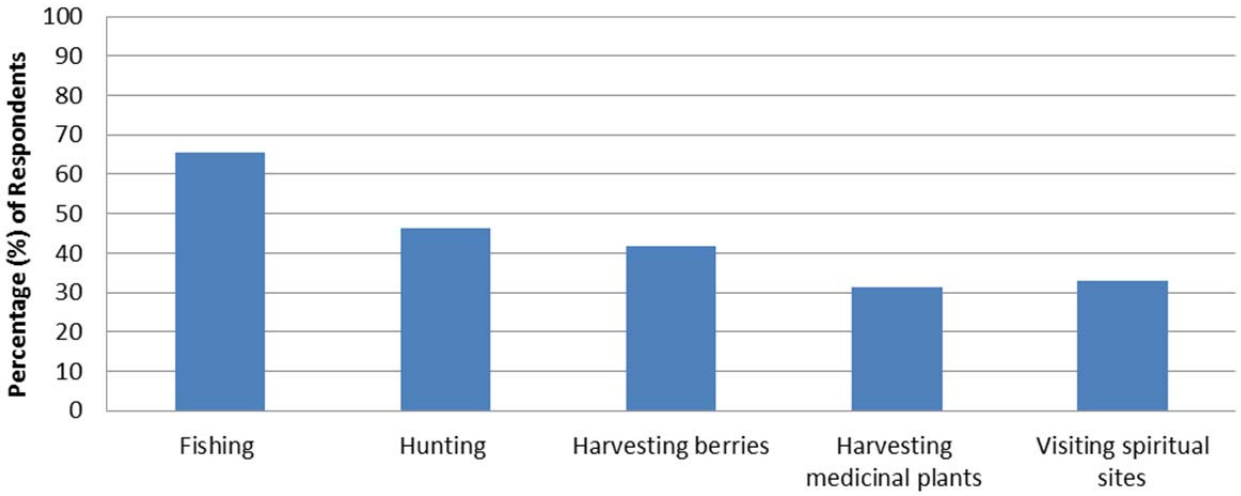


Figure 6-6: Which of These Land Use Activities Do You Practice?

Because of the low population in the LSA, this TSD considers the results from this survey in the RSA to predict the effects in the local community. Based on interviews with individuals who actively use land within the LSA, practices in the RSA bound those in the LSA.

Survey respondents were asked how often they eat fish that they've caught. This question was asked to determine the level of dependence on country foods in the area. As shown in Figure 6-7, the majority of respondents (30%) stated that they ate fish caught in the area about once a month. A small percentage (9%) stated that they eat fish caught in the area more than once a week, and 15% stated that they do not eat fish caught in the area.

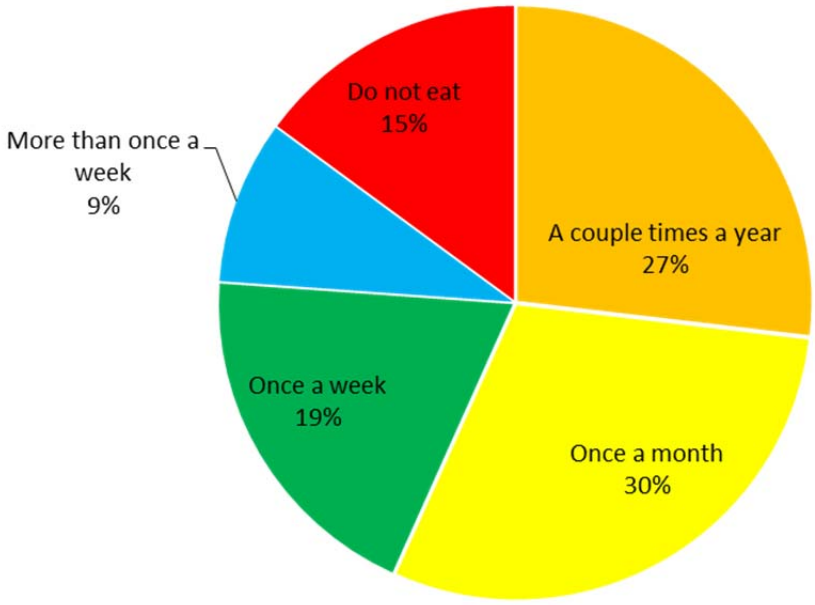


Figure 6-7: How Often Do You Eat Fish You Have Caught?

Survey respondents were asked how often they eat animals that they have caught. This question was asked to determine the level of dependence on country foods in the area. As shown in Figure 6-8, the majority of respondents (36%) stated that they ate animals caught in the area a couple times a year. A small percentage (12%) stated that they eat animals caught in the area more than once a week, and 18% stated that they do not eat animals caught in the area.

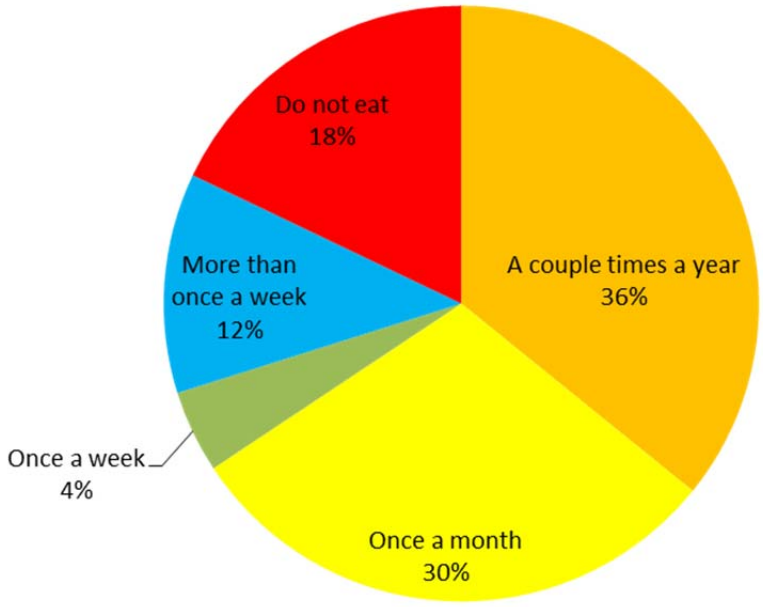


Figure 6-8: How Often Do You Eat Animals You Have Caught While Hunting?

Survey respondents were asked how often they eat plants they've harvested. This question was asked to determine the level of dependence on country foods in the area. As shown in Figure 6-9, the majority of respondents (55%) stated that they do not eat plants harvested in the area. A small percentage (12%) stated that they eat plants harvested in the area more than once a week.

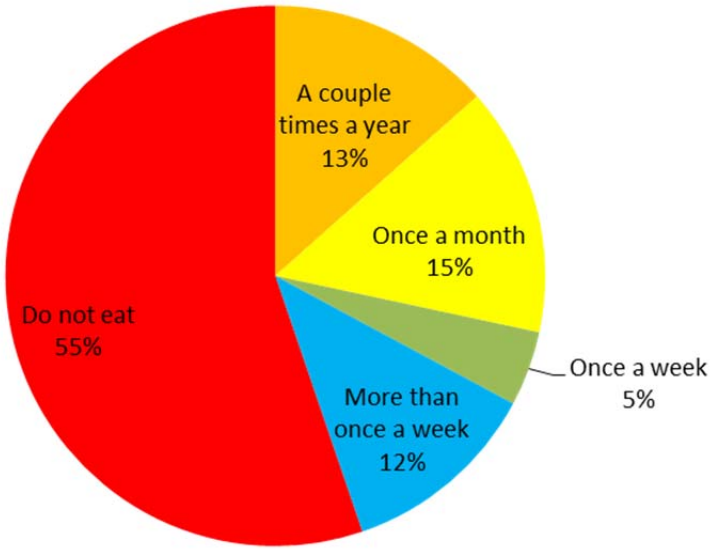


Figure 6-9: How Often Do You Eat Plants You Have Harvested?

In summary, although fishing, hunting and plant harvesting does take place in the area, it does not represent a substantial portion of most community members diet. Fishing is the most popular land use activity, and the least popular activity is harvesting plants.

6.3.3.2 Métis Land Use and Occupancy Study

In March 2012, OHRG signed a Memorandum of Understanding (MoU) with the MNO. One of the provisions of the MoU was that OHRG would provide capacity funding for the MNO to conduct a traditional use study.

In the spring of 2012 the MNO retained the services of Symbion Consultants to conduct a Land Use and Occupancy Study of the Treaty # 3/Lake of the Woods/Lac Seul/Rainy River/Rainy Lake. Individual interviews with local Métis community members focussed on historic and current land use. The Study determined that Métis in the Study Area participate in a variety of land use activities including hunting, trapping, fishing, plant harvesting, and collection of natural items.

Information provided to OHRG was sufficient to allow an understanding of the traditional harvesting practices of the Métis and to determine if the current practices are likely to be affected by the Project.

The detailed findings of the Métis Land Use and Occupancy Study remain confidential and will not be published at this time. The information was shared with OHRG to facilitate the Project planning process and portions of the information were also shared with Golder Associates to facilitate the environmental assessment work.

7.0 EFFECTS ASSESSMENT

This section predicts and describes the changes to Aboriginal Interests that are likely to result from the Project. These changes are then assessed to determine if an adverse effect is expected, whether the identified adverse effect can be mitigated, and for adverse effects that cannot be fully mitigated (residual effects), the significance of the effect is determined.

7.1 Effects Assessment Methods

The effects assessment comprises the following steps:

- Step 1: Screening of Project activities with the potential to have interactions with the VECs of the terrestrial environment (Section 7.2).
- Step 2: Prediction (i.e. identification and description) of potential effects of the Project (Sections 7.3).
- Step 3: Identification of suitable mitigation measures to reduce or eliminate the identified effects (Section 7.4)
- Step 4: Assessment of whether adverse effects remain after mitigation (i.e., residual effects) (Sections 7.4).
- Step 5: Determination of the significance of residual effects. If there is uncertainty of whether an effect remains after mitigation, the effect is forwarded for determination of significance (Sections 7.4).

The effects assessment is completed within the framework of temporal and spatial boundaries described in Section 4 of this TSD. The assessment takes into account a precautionary approach and incorporates Aboriginal traditional knowledge, where available.

The effects assessment identifies potential effects of the Project on the environment following a source-pathway-receptor approach. Project activities represent sources of effects, measurable changes to the environment represent pathways, and VECs represent receptors. In some cases, VECs may act as both pathways and receptors.

Project effects may occur through direct or indirect pathways. Direct pathways occur when a VEC is affected by a Project activity directly, such as vegetation clearing and grubbing contributing to habitat loss.

Indirect pathways occur when a VEC is affected by changes to another VEC, for example, the effect of air quality on forest cover. The effects assessment recognizes the widest, reasonable range of potential direct and indirect effects without specific regard for their probability of occurrence.

The effects assessment uses four criteria, shown on Table 7-1.

Table 7-1: Assessment Criteria and Levels for Determining Significance

Assessment Criteria	Level		
Geographic Extent (of effect)	**Low**	**Medium**	**High**
	Effect is within the Project Site (i.e. Mine Study Area or Linear Infrastructure Study Area)	Effect extends into the Local Study Area	Effect extends into the Regional Study Area
Frequency (of effect)	**Low**	**Medium**	**High**
	Conditions or phenomena causing the effect to occur infrequently (i.e., several times per year)	Conditions or phenomena causing the effect to occur at regular, although infrequent intervals (i.e., several times per month)	Conditions or phenomena causing the effect to occur at regular and frequent intervals (i.e., daily or continuously)
Duration (of conditions causing effect)	**Low**	**Medium**	**High**
	Conditions causing effect are evident during the site preparation and construction phase, or decommissioning phase	Conditions causing effect are evident during the operations phase	Conditions causing effect extend beyond any one phase
Degree of Reversibility (of effect)	**Low**	**Medium**	**High**
	Effect is readily (i.e., immediately) reversible	Effect is reversible with time	Effect is not reversible (i.e., permanent)

Magnitude levels are VEC-specific as shown in Table 7-2. Four levels are associated to the magnitude criterion: negligible, low, medium and high.

Table 7-2: Magnitude Levels for Valued Ecosystem Components

Valued Ecosystem Components	Magnitude			
	Negligible	**Low**	**Medium**	**High**
Aboriginal Communities	Predicted change in indicators < 1% of existing conditions	Predicted change in indicators of 1% - 4.9% of existing conditions	Predicted change in indicators of 5% - 19.9% of existing conditions	Predicted change in indicators of ≥20% of existing conditions
Aboriginal Heritage and Resources	No restriction of access to special sites	Temporary restriction of access to special sites	Permanent restriction of access to special sites	Removal or loss of special sites
Traditional Use of Lands and Resources	Predicted change in indicators < 1% of existing conditions	Predicted change in indicators of 1% - 4.9% of existing conditions	Predicted change in indicators of 5% - 19.9% of existing conditions	Predicted change in indicators of ≥20% of existing conditions

7.2 Screening of Project Activities

This section examines each of the Project activities identified in Section 3 which have the potential to interact with the VECs identified for the assessment of effects on Aboriginal Interests, specifically "Management, permitting and employment" and "Project physical activities." The approach to screening used in this Aboriginal Interests TSD is similar to that used in the Socio-economic assessment and may differ somewhat from that used in the other environmental disciplines. This reflects the fact that effects on Aboriginal interests are either (1) the result of the Project as a whole, (2) the result of physical disturbance or restricted access to Aboriginal people, or (3) indirect effects as a result of changes to aquatic or terrestrial environments.

The screening is conducted for all phases of the Project. Specifically, Project works and activities that have the potential to affect the identified VECs are identified and advanced for additional consideration. A summary table is provided for each of the Project phases showing the potential interactions. All potential effects identified in the tables are advanced to Section 7.3 for a prediction of their likely effects.

7.2.1 Screening for Effects on Aboriginal Community Characteristics Valued Ecosystem Component

The **Aboriginal community characteristics** VEC has the potential to interact with all phases of the Project through changes in one or more of the identified measures: employment; business opportunities; and education and training. Similar to the Socio-Economic TSD, the Project work or activity that best allows an assessment of the effects of the Project as a whole on the Aboriginal community characteristics during the construction and operations phases is "Management, Permitting and Employment." This activity includes the size and nature of the Project workforce, procurement of equipment, goods and services, and control of Project Site access.

The results of this screening are summarized on Tables 7-3, 7-4 and 7-5.

7.2.2 Screening for Effects on Aboriginal Heritage and Resources Valued Ecosystem Component

Direct effects on the **Aboriginal Heritage and Resources** VEC are most evident in cases where the Project construction activities, including construction of infrastructure such as roads, result in a direct physical disturbance of the site. Disturbance to heritage and special site can only occur during the construction phase.

Lesser effects may occur on heritage or special sites where the Project construction or operational phase results in limiting or restricting access to those sites.

It is assumed that access will be re-established during closure and post-closure and therefore there is no interaction between this VEC and the closure and post-closure phase.

The results of this screening are summarized on Tables 7-3, 7-4 and 7-5.

7.2.3 Screening for Effects on Traditional Use of Land and Resources Valued Ecosystem Component

Effects on the **Traditional Use of Land and Resources VEC** are possible during construction and operations phases. Direct effects are likely to be most evident during the construction phase due to removal and/or disruption of hunting, fishing, trapping, and collection of herbs or vegetation similar to the effects identified in the Socio-economic assessment. Indirect effects are likely during the operations phase as a result of adverse effects on the aquatic and terrestrial environments.

No interactions are possible during the closure and post-closure phase as the Project Site is returned to a passive state and traditional land use may resume unimpeded by Project activities.

The results of this screening are summarized on Tables 7-3, 7-4 and 7-5.

7.2.4 Summary of Construction Phase Screening

Table 7-3, below, shows the result of the screening of the effects Project activities on the identified VECs during the construction phase. All interactions identified as "yes" are advanced for a detailed assessment of effects in Section 7.3.

Table 7-3: Result of Screening of Project Interactions in Construction Phase

Project Activity	Likely Effect on Valued Ecosystem Component		
	Aboriginal Community Characteristics	**Aboriginal Heritage and Resources**	**Traditional Use of Land and Resources**
Management, Permitting and Employment	**Yes**	No	No
Project physical activities (including all activities below)	No	**Yes**	**Yes**

- Linear Infrastructure.
- Borrow Sites.
- Support and Ancillary Infrastructure.
- Ore Processing Facility.
- Mine.
- Waste Rock Management Facility (WRMF).
- Tailings Management Facility (TMF).
- Water Management System.

7.2.5 Summary of Operations Phase Screening

Table 7-4, below, shows the result of the screening of the effects Project activities on the identified VECs during the operations phase. All interactions identified as "yes" are advanced for a detailed assessment of effects in Section 7.3.

Table 7-4: Result of Screening of Project Interactions in Operations Phase

Project Activity	Likely Effect on Valued Ecosystem Component		
	Aboriginal Community Characteristics	**Aboriginal heritage and resources**	**Traditional use of land and resources**
Management, Permitting and Employment	**Yes**	No	No
Project physical activities	No	**Yes**	**Yes**

7.2.6 Summary of Closure and Post-closure Phase Screening

Table 7-5, below, shows the result of the screening of the effects Project activities on the identified VECs during the closure phase. All interactions identified as "yes" are advanced for a detailed assessment of effects in Section 7.3.

Table 7-5: Result of Screening of Project Interactions in Closure and Post-closure Phase

Project Activity	Likely Effect on Valued Ecosystem Component		
	Aboriginal Community Characteristics	Aboriginal Heritage and Resources	Traditional Use of Land and Resources
Management, Permitting and Employment	Yes	No	No
Project physical activities	No	No	No

7.3 Prediction of Likely Effects

The screening of Project activities in the preceding section identified the areas where Project activities have the potential to interact with the VECs during all of the phases of the Project. Potential interactions between Project activities and all three VECs were identified. This section examines each of these possible interactions between the Project and the VECs in order to describe and assessed the likely effects of the Project on Aboriginal interests. The effects are identified and described using the specific indicators and measures selected for each VEC (see Table 5-1).

The assessment is conducted separately for each of the phases of the Project, beginning with the construction phase. Since many of the effects of the Project related to Aboriginal Interests are positive and contribute to the overall benefits of the Project, the significance assessment is conducted only on the adverse effects.

In order to minimise unnecessary repetition, where an effect is predicted to occur in more than one phase, the assessment of effects is combined.

7.3.1 Aboriginal Community Characteristics Valued Ecosystem Component

The screening in Section 7.2 (summarized in Tables 7-3, 7-4 and 7-5) determined that the Aboriginal community characteristics VEC may be affected by Management, Permitting and Employment activity in all phases of the Project. The "Management, Permitting and Employment" activity was selected as best representing Project expenditures and employment.

The predicted effects of the Project on the Aboriginal community characteristics VEC during all Project phases are expected to be similar in nature, although they may differ in extent and duration. For simplicity the effects on all four phases are discussed together in this section. The effects are assessed using three indicators: employment opportunities, business opportunities, and education and training.

The likely effects on these interactions are summarized in Table 7-6 and include the following:

- **Management, Permitting and Employment** is likely to affect aboriginal community characteristics within the LSA through a change in employment opportunities for Aboriginal people (Effect 1).

- **Management, Permitting and Employment** is likely to affect Aboriginal community characteristics in the LSA through a change in the business opportunities created by purchases of goods and services from existing and new Aboriginal businesses. These changes occur as a result of Project-related expenditures on equipment, materials and services (Effect 2).
- **Management, Permitting and Employment** is likely to affect Aboriginal community characteristics in the LSA the need for and opportunity for increased education and skills (Effect 3).

Effects during the closure and post-closure phases are anticipated to be similar although substantially smaller.

Table 7-6: Effects on Aboriginal Community Characteristics in the Construction, Operations, Closure and Post-closure Phases

Project Activities	Effect 1	Effect 2	Effect 3
Management, Permitting and Employment	Increase in Aboriginal **employment opportunities**	Increase in Aboriginal **business activity**	Increase in **educational attainment and training**

7.3.1.1 Employment Opportunities

The effects of the Project on Aboriginal employment are expected to be positive. The level of Aboriginal employment during the construction and operations phases will be influenced by (1) OHRG's Aboriginal hiring practices, (2) availability of suitability trained individuals, and (3) the willingness of Aboriginal people to travel daily to the site and/or reside at the Workers Accommodation Camp. It should be noted that the size of the RSA and distance of some of the First Nation communities from the Project Site precludes a daily commute for work for Aboriginal people living on reserve.

Aboriginal employment is estimated for First Nations people only. It is assumed that Métis people are integrated into the broader community and would be included as part of the workforce typical of that broader community.

The numbers of potential Aboriginal employees provided in this section should be viewed as estimates only. The do not represent quotas, commitments or minimum numbers. As noted above, the number of Aboriginal employees will be highly influenced by existing skills levels and training programs. For example, during the construction phase, qualified trades people hired by construction contractors may be expected to include experienced Aboriginals.

As noted in Section 6, OHRG has a full-time Director of Aboriginal Affairs who works to promote the training and employment of Aboriginal people throughout all phases of the Project, including exploration, construction and operations. OHRG aims to promote the utilization of Aboriginal enterprises whenever possible in supplying goods and/or services required during the Project.

As noted in Section 6, OHRG is committed to sharing employment information and providing targeted employment opportunities to Aboriginal youth, such as the Summer Experience Program that was carried out on site in 2011 and 2012.

Based on the occupations required for the construction and operations phases, and knowledge of the available Aboriginal workforce in the RSA as described in Section 6, it is estimated that approximately 5% of the total

construction workforce may be Aboriginal people. This proportion is expected to increase to 10% during the operations phase, reflecting the opportunities for skills training during the early construction phase of the Project. Further, the number of Aboriginal people in the workforce during the closure phase is anticipated to increase to up to 50% reflecting OHRG's commitment to include local Aboriginal people in the stewardship of the land.

Total labour required for the **construction phase** is 2.5 x 10^6 person-hours. This corresponds to an average construction phase full-time equivalent workforce is anticipated to be 416 persons, although the number of workers at the Project Site may peak at approximately 1,200.

The total anticipated workforce during the **operations phase** comprises 140 staff and 410 hourly employees. Based on the information in Section 6 on the level of education and training of Aboriginal people, the initial estimate of the number of Aboriginal people included in the operations workforce is provided in Table 7-7 below.

The total anticipated workforce during the closure and post closure phase comprises approximately 200 staff during actual closing operations and less than 10 staff during the post-closure environmental monitoring period.

Table 7-7 provides an initial estimate of the number of Aboriginal people that may be employed at the Project Site, specifically 28 during construction and 55 during operations. Employment during operations would be for 11 years. Workforce estimates for the closure and post-closure phase reflect an initial understanding of the scope of work required. During post-closure local Aboriginal people will be in a unique position to make a substantial contribution to the long term environmental monitoring of the rehabilitated Project Site.

Since the effects of the Project on employment opportunities are positive, no further assessment is required. However, a number of recommendations that may enhance this beneficial effect are included in Section 7.4.

Table 7-7: Estimate of Aboriginal Participation in Project Workforce

Workforce	Employment (Number Full-time equivalents)			
	Construction Phase	Operations Phase	Closure Phase	Post-closure Phase
Total employment	416 average	~550	100	Less than 10
Aboriginal employment	21	55	25 - 50	~5

7.3.1.2 Business Opportunities

The effects of the Project on business opportunities are expected to be positive. Purchases of goods and services from Aboriginal businesses during the construction and operations phases will be influenced by Osisko's Aboriginal purchasing policy as well as the existence of Aboriginal businesses capable of providing the required goods and services to the Project.

Similar to the estimate of Aboriginal employment opportunities, estimates of potential expenditures on Aboriginal businesses provided in this section should be viewed as guess-estimates only. They do not represent quotas or minimum numbers.

OHRG aims to promote the utilization of Aboriginal enterprises whenever possible in supplying goods and/or services required during each phase of the Project.

Total cost to construct the Project is estimated at $1.4 Billion. Total labour costs are estimated at $288 Million, or 21% of the total capital expenditure. Of the remaining $1.1 Billion, 3% or $33 Million is anticipated to be spent in the Local Study Area over the construction phase. This is anticipated to create opportunities for the establishment or growth of Aboriginal businesses to supply goods and services for the Project.

A preliminary estimate of Project expenditures suggests that 2% of the total Project expenditures may be spent on goods and services provided by existing, expanded and new Aboriginal businesses. This corresponds to an expenditure of approximately $22 Million over approximately 30 months (see Table 7-8). This expenditure depends upon the ability of Aboriginal businesses to meet the requirements of the goods and services needed.

The Socio-economic Environment TSD provides an estimate of the source of operations expenditures for equipment and materials including consumables, energy and fuel, based on similar projects and professional judgement. This estimate assumes that approximately 2% of the Project annual expenditures throughout the operations phase will be made to Aboriginal businesses.

Total annual operating costs are estimated at $395 Million dollars. Total labour costs are estimated at $68 Million, or 17% of the total annual expenditures. (A detailed breakdown of operations phase expenditures is provided in the Socio-economic Environment TSD). Of the remaining $327 Million, 2% or $7.9 Million annually is anticipated to be spent on goods and services obtained from Aboriginal businesses (see Table 7-8). This level of expenditure is anticipated to create opportunities for the establishment or growth of Aboriginal businesses to supply goods and services for the Project.

A detailed closure plan has not yet been developed for the Project. As the planning process moves forward, OHRG will develop a detailed closure plan that meets the requirements of the Ontario Mining Act, including a cost estimate and financial assurance. The cost estimate for closure is expected to be approximately $40 Million; therefore, this amount is used in the environmental assessment. It is assumed that 50% of this cost will be in labour ($20 Million) and the remaining $20 Million will comprise materials, equipment and services. It is assumed that 5% of the total cost would be spent on the purchase of goods services from Aboriginal businesses and communities within the RSA.

Table 7-8: Estimate of Expenditures on Aboriginal Businesses

	Project Expenditures ($ Million)			
	Construction Phase	**Operations Phase**	**Closure Phase**	**Post-closure Phase**
Total expenditures (excluding workforce)	1,100 (total)	327 (annually)	20	0
Total Purchases from Aboriginal businesses	22	110.6	1	0
Annual Purchases for Aboriginal businesses	8.8	7.9	0.5	0

Since the effects of the Project on business opportunities are positive, no further assessment is required. However, a number of recommendations that may enhance this beneficial effect are included in Section 7.4.

7.3.1.3 Education and Training

Section 6 provides the percentage of the population within the identified First Nations communities who have completed a high school certificate, university certificate, degree or diploma is low compared to the population of Ontario and North-western Ontario. Most jobs for the Project will have minimum education requirements, including high school completion (or a General Equivalency Diploma) and technical or academic training.

Because OHRG is present in the RSA, engaged with Aboriginal communities on potential job opportunities, and providing Aboriginal youth opportunities for example in the form of Summer Experience Program, the level of education attainment is expected to increase. The high level of skilled trades people in the First Nations communities also illustrates that the communities could benefit from Project related opportunities.

7.3.2 Aboriginal Heritage and Resources Valued Ecosystem Component

Direct effects on the Aboriginal heritage and resources VEC are only possible during the construction phase. Any effects would be the direct consequence of the disturbance or destruction of heritage site as a result of excavating and earth moving activities. The effects are assessed using two indicators: identified archaeological sites and artifacts, and special sites.

Lesser effects are possible for all Project phases and include the restriction or limitation of access to heritage or special sites because of Project operations. Limited restriction may continue in the closure and post-closure phases.

Potential effects of the Project on the Aboriginal Heritage VEC and its indicators are possible only within the LSA or, more, specifically, within the general area of the Project footprint.

The likely effects on interactions between the Project and these indicators are summarized in Table 7-9 and include the following:

- **Project physical activities** may affect Aboriginal heritage and resources within the LSA through the destruction and/or disturbance of heritage sites and artifacts (Effect 4). This effect is possible in construction phase only.
- **Project physical activities** may affect special sites within the LSA through the destruction and/or disturbance of special sites (Effect 5). This effect is possible in construction phase only.
- **Project physical activities** may prevent or limit access to heritage sites and artifacts (Effect 6). This effect is possible in all Project phases.
- **Project physical activities** may prevent or limit access to special sites (Effect 7). This effect is possible in all Project phases.

Table 7-9: Effects on Aboriginal Heritage and Resources Valued Ecosystem Component during Construction, Operations, Closure and Post-closure Phases

Project Activities	Effect 4	Effect 5	Effect 6	Effect 7
Project physical activities	Destruction and/ or disturbance of **heritage sites and artifacts**	Destruction and/ or disturbance of **special sites**	Prevent or limit access to **heritage sites and artifacts**	Prevent or limit access to **special sites**

7.3.2.1 Identified Archaeological Sites and Artifacts

Adverse effects on archaeological site and artifacts are possible where there are sites within the area likely to be directly affected by the Project physical activities. Identification of sites occurred through (1) archaeological research and (2) information from Aboriginal communities, including Traditional Use Studies carried out for this assessment.

As part of the research studies for the environmental assessment, a Stage 1 archaeological survey was conducted on the area likely to be affected by Project physical activities. The results of the survey are provided in the Cultural Heritage TSD and summarized in Section 6. As noted in Section 6, a Stage 2 archeological investigation was conducted but no significant Aboriginal sites or artifacts were identified.

Aboriginal communities, including both the First Nations communities whose traditional territory encompasses the area affected by Project physical activities, and the Métis Nation of Ontario were asked if they were aware of any archaeological sites, artifacts that might be impacted by the Project footprint. No archaeological sites or artifacts were identified. However, special sites were identified and are discussed further below.

Since the Project is unlikely to affect archaeological sites, through either disturbance or limiting access in any of the Project phases, no further assessment is required. Recommendations are made in Section 7.4 that would ensure any archaeological sites or artifacts identified in future are dealt with appropriately.

7.3.2.2 Special Sites

As noted in Section 6, special sites were identified within the LSA, although the First Nations request that their location be kept confidential. OHRG has undertaken to co-operate with First Nations in the preservation of these sites to the extent practicable thereby avoiding an adverse effect. Accordingly, the likely effect of the Project on First Nation's special sites is not assessed further. A recommendation with respect to collaboration between First Nations and OHRG in protecting special sites is provided in Section 7.4.

Also, as noted in Section 6, the Métis identified a number of special sites. However, these sites are not within the area that could be affected by Project physical activities in any of the Project phases Accordingly, the likely effect of the Projects on Métis special sites is not assessed further.

Since the Project is unlikely to affect special sites, through either disturbance or limiting access in any of the Project phases, no further assessment is required. Recommendations are made in Section 7.4 that would ensure any sites identified in future are dealt with appropriately.

7.3.3 Traditional Use of Land and Resources Valued Ecosystem Component

Aboriginal communities and people use the land and its resources for fishing, hunting, trapping, and harvesting and gathering plants. In addition, Aboriginal people may consume country foods as part of their normal diet. Information on the traditional use of land and resource by Aboriginal communities and people has been collected primarily for the RSA. The following assessment considers the effects of the Project at this scale; however, where specific information at a smaller LSA scale is available it is specifically identified and any effects assessed.

As noted, effects of the Project on Traditional Use of Land and Resources are possible through changes in opportunities for fishing, trapping, hunting, and gathering and harvesting plants. In addition the Project may affect the quantity and/or quality of country foods consumed by Aboriginal people.

The assessment of the effects of the Project on the Traditional Use of Land and Resources VEC depends upon the conclusions of the direct effects of the Project on the aquatic and terrestrial environments reported in the Aquatic Environment TSD and Terrestrial Ecology TSD, respectively.

Interactions between construction activities and Traditional Land Use and Resources VEC are identified in Section 7.2. The likely effects on interactions between the Project and these indicators are summarized in Table 7-10 and include the following:

- **Project physical activities** may affect the Traditional Land Use and Resources VEC within the LSA through adverse effects on the aquatic environment resulting in a change to fishing opportunities (Effect 8). This effect is possible in the construction, operations and closure phases.
- **Project physical activities** may affect the Traditional Land Use and Resources VEC within the LSA through adverse effects on the terrestrial environment resulting in a change to trapping (Effect 9), hunting (Effect 10 or plant harvesting (Effect 11). These effects are possible in the construction, operations and closure phases.
- **Project physical activities** may affect the quantity and/or quality of the country foods consumed by Aboriginal people (Effect 12). This effect is possible in the construction, operations and closure phases.

Table 7-10: Effects on Traditional Use of land and Resources Valued Ecosystem Component Due to Project Activities in the Construction, Operations, and Closure and Post-closure Phases

Project Activities	Effect 8	Effect 9	Effect 10	Effect 11	Effect 12
Management, Permitting and Employment	Adverse effects of the Project on the aquatic environment may result in loss of **fishing** opportunities	Adverse effects of the Project on the terrestrial environment may result in loss of **trapping** opportunities	Adverse effects of the Project on the terrestrial environment may result in loss of **hunting** opportunities	Adverse effects of the Project on the terrestrial environment may result in loss of **plant harvesting** opportunities	The Project may affect the quantity or quality of **country foods** that may be consumed by Aboriginal people

7.3.3.1 Aquatic Environment – Fishing

Any adverse effect identified on the aquatic environment may adversely affect fishing opportunities for Aboriginal people. The community surveys reported in Section 6 identified fishing as the most common land-use practice by First Nation's people. In addition, Métis people have identified the continued use of their traditional harvesting territory for fishing.

The Project is located in an area with a healthy and robust fishery, and fishing by Aboriginal people occurs within the RSA. Effects on fishing within the LSA as a result of the Project are small or negligible compared to the overall opportunities and resources in the RSA. Since most Aboriginal people practice fishing with the RSA, the effects of the Project on the Aboriginal use of fish for dietary or commercial purposes is negligible.

7.3.3.2 Terrestrial Environment – Trapping

Trapping in the LSA has been identified as an important activity for some Aboriginal people. Specifically, as described in Section 6, there are three identified traplines within the LSA that would be affected by the Project. Further, the Socio-economic TSD identifies the likely removal of ~2,000 ha of land that would otherwise have been available for trapping.

The Terrestrial TSD does not identify any residual adverse effects of high significance on terrestrial species have been identified in the Terrestrial Ecology TSD, and therefore no further assessment or mitigation related to effects on hunting is required.

As identified in the Socio-economic TSD, mitigation for adverse effects on trapping in the LSA, particularly the three trapline owners, will involve negotiated financial settlements between affected persons and OHRG, based on documentation to be provided by the affected individuals. Negotiations will occur upon approval of the EA and a decision to proceed with construction of the Project. Successful completion of negotiation will compensate fully for the adverse effect of the Project. Accordingly, no further assessment is considered.

7.3.3.3 Terrestrial Environment – Hunting

Hunting in the LSA has been identified as an important activity for some Aboriginal people. Hunting by Aboriginal people includes a number of wildlife and birds; however, moose is the species that is primarily hunted for food.

The Terrestrial Ecology TSD assessed the effects of the Project on moose. As noted in the Terrestrial Ecology TSD, effects on wildlife species, including moose, occur as the result of loss of habitat.

The Project is located in an area with a healthy and robust moose population, and hunting by Aboriginal people occurs within the RSA. Effects on hunting within the LSA as a result of the Project are small or negligible compared to the overall opportunities and resources in the RSA. Since most Aboriginal people practice hunting with the RSA, the effects of the Project on the ability of Aboriginal people to hunt for dietary or commercial purposes is negligible.

7.3.3.4 Terrestrial Environment – Plant Harvesting

Plant harvesting in the LSA and the RSA is discussed in Section 6.3. The effect of the Project on forested ecosites and swamp ecosites that have the potential to support traditional species was considered and assessed to be negligible. Accordingly, no further assessment is conducted.

7.3.3.5 Consumption of Country Foods

Section 6 identifies that country foods are a relatively small part of the diet of Aboriginal people who responded to land use surveys. The Project could affect the consumption of country foods by either reducing their availability or resulting in their contamination.

Based on the preceding assessment, the Project will not have a measurable effect on the availability of plants and animals targeted by Aboriginal people during fishing, hunting or plant harvesting. Aboriginal people obtain country foods from an area that extends well beyond the LSA.

The environmental assessment included an Ecological Risk Assessment (ERA) that evaluated the potential for adverse effects to ecological (including wildlife and aquatic life) health associated with changes in environmental

quality due to chemical releases from the Project. This assessment is fully detailed in the Human Health and Ecological Risk Assessment TSD.

The ERA did not identify any Contaminants of Potential Concern in soil or surface water for further evaluation. As such, the ERA did not proceed beyond the chemical screening stage of the problem formulation. This indicates that adverse effects to ecological health as a result of the Project are not expected.

7.3.4 Prediction of Effects in the Post-closure Phase

The goal of closure is to return the Project Site to a safe and acceptable land use that is as close as possible to conditions prior to Project development. Accordingly during the post-closure phase, it may be expected that the traditional use of land and resources would be restored. This should allow fishing, hunting, trapping and gathering and harvesting of plants to occur in the LSA without impediment. Any effects on this VEC during the post-closure phase are assessed as being positive and are not discussed further.

A recommendation is made in Section 7.4 with respect to enhancing Aboriginal participation in closure planning and post-closure environmental monitoring.

7.4 Mitigation, Residual Effects and Assessment of Significance

Mitigation is Step 3 of the assessment process and involves the identification of practicable measures to reduce or avoid entirely any adverse effects identified in the preceding step. Mitigation is only necessary when an adverse effect is identified. In the case of positive effects, recommendations are made that might enhance the nature or extent of the effect.

In many cases, mitigation has been included in the Project design or in the plans made by OHRG for the implementation of the Project. For example, early and ongoing investment in Aboriginal cultural practices and the incorporation of traditional protocols in Project meetings identified potential adverse effects and allowed OHRG to take steps to avoid them.

The preceding sections did not identify any adverse effects of the Project that could not be mitigated or compensated on any of the VECs selected for the Aboriginal Interests assessment. The assessment considers in–design mitigation measures and plans designed to avoid adverse effects or address the concerns of Aboriginal people identified through OHRG's extensive engagement program.

Furthermore, adverse effects on Aboriginal Interests are minimized or avoided entirely, and positive effects are enhanced, through the Resource Sharing Agreement developed by OHRG and the identified First Nations communities. At the request of all parties, details of the agreement are confidential.

As discussed in the preceding sections, many of the effects of the Project are positive, or if adverse are negligible. The following sections make a number of recommendations that could seek to enhance the positive benefits and/or ensure that implementation of the Project will occur in harmony with Aboriginal Interests to the extent possible.

7.4.1 Aboriginal Community Characteristics Valued Ecosystem Component

It is recommended that OHRG continue its practice of informing Aboriginal communities about the nature and timing of the skills required for site workers. The role of OHRG's Director of Aboriginal Affairs is to lead and develop this effort.

It is recommended that OHRG investigate ways to encourage existing Aboriginal workers to share working experiences within their own communities, thereby helping to overcome some of the barriers to Aboriginal participation in the wage economy.

It is recommended that OHRG make the workplace a welcoming environment to Aboriginal people by providing cultural sensitivity training to all members of the Project workforce.

7.4.2 Aboriginal Heritage and Resources Valued Ecosystem Component

Although no Aboriginal heritage sites or artifacts are identified with the area likely to be affected by the Project physical activities, there remains the low possibility that a heritage site or artifacts could be encountered during excavation or earth moving activities. Accordingly, it is recommended that a protocol be established between OHRG and the First Nations regarding actions to be taken in the event, however unlikely, a heritage sire and/or artifacts are discovered during the construction phase.

It is recommended that OHRG and Aboriginal communities cooperate in the protection of special sites. This requires OHRG to identify and review mine site development plans with First Nations and Métis people where they have the potential to impact special sites. This approach has been agreed to by the Aboriginal communities.

7.4.3 Traditional Use of Land and Resources Valued Ecosystem Component

Because Aboriginal people will likely continue to occupy the land after mine closure, and because of their continued stewardship of the land, it is recommended that they be involved in all stages of remediation planning as they might affect the natural environment. This could include the selection of native plant species or specific species that are of special interest to Aboriginal people to be used during re-vegetation of the Project Site.

8.0 SUMMARY OF FINDINGS

The assessment examined the effects of the Project on the VECs identified for Aboriginal Interests, namely: Aboriginal Community Characteristics, Aboriginal Heritage Resources and Traditional Use of Land and Resources. Interactions were identified between the Project activities and each of the VECs. These interactions were predicted to result in a total of twelve possible effects.

The three effects on Aboriginal Community Characteristics, namely those effects on Employment, Business Activity, and Training and Education were assessed as being positive. The Project will contribute to the economic opportunities and development of Aboriginal communities in the RSA.

Three of the four effects on Aboriginal Heritage and Resources were identified as being unlikely to occur, including effects on Archaeological Sites or Special Sites, since the Project will not result in any physical disturbance of any known sites. Development of a protocol is recommended to ensure that in the unlikely event a currently unknown site is discovered during construction, appropriate action can be taken. In the event that there is an effect because of the need to restrict access to a Special Site, the effect will be fully mitigated through the negotiation of an agreement.

Three of the effects on Traditional Use of Land and Resources, specifically loss of fishing opportunities, hunting opportunities and plant harvesting opportunities were assessed as being negligible because any effects would be limited to the LSA and would not measurably reduce the overall land use opportunities provided within the RSA. A fourth effect, the removal of land base within three traplines in the LSA, will be compensated through a negotiated agreement with the trapline holders. The effect on the consumption of country foods is unlikely since neither their source nor safety would be affected.

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10.0 GLOSSARY OF TERMS

Table 10-1: Glossary of Terms

Term	Definition
Aboriginal Peoples	The indigenous people of North America and their descendants, including First Nation individuals, Non-Status Indians, Métis and Inuit people
Community Well Being Score	A tool developed by the Government of Canada to provide an overall picture of social, economic and environmental factors in a community
Employment Rate	The number of employed persons expressed as a percentage of the labour force
Heritage Resources	Archeological artifacts and culturally special sites
Labour Force	The total number of people aged 15 years and over within the community
Median income	The amount which divides the income distribution into two equal parts, half having income about that amount and half having income below that amount
Participation Rate	The total labour force of the community, expressed as a percentage of the total population in that group
Traditional Land Use	Activities that Aboriginal communities and their individual members rely on to meet their needs, such as trapping, hunting, fishing and plant gathering
Traditional Territory	Land occupied by Aboriginal people and used historically, prior to the arrival of Europeans
Unemployment Rate	The number of unemployed persons expressed as a percentage of the total labour force

11.0 LIST OF ABBREVIATIONS, ACRONYMS AND INITIALISMS

Table 11-1: List of Abbreviations, Acronyms and Initialisms

Acronym	Definition
CEA Agency	Canadian Environmental Assessment Agency
CEAA	Canadian Environmental Assessment Act
CWB	Community Well Being
EA	Environmental Assessment
EAB	Environmental Approvals Branch
EIS Guidelines	Environmental Impact Statement Guidelines
EIS/EA Report	Environmental Impact Statement / Environmental Assessment Report
Elev.	Elevation
FFCS	Fort Frances Chief Secretariat
LDMLFN	Lac des Mille Lacs First Nation
LSA	Local Study Area
MNDM	Ministry of Northern Development and Mines
MNO	Metis Nation of Ontario
MNR	Ministry of Natural Resources
MoU	Memorandum of Understanding
OHRG	Osisko Hammond Reef Gold Ltd.
OMOE	Ontario Ministry of the Environment
Project	Hammond Reef Gold Project
RSA	Regional Study Area
ToR	Terms of Reference
TSD	Technical Support Document
TUS	Traditional Use Study
VECs	Valued Ecosystem Components

12.0 LIST OF UNITS

Table 12-1: List of Units

Unit	Abbreviation
degrees celsius	°C
hectare	ha
kilometre	km
metre	m
metres above sea level	masl
millimetre	mm
percent	%
square kilometre	km^2
square mile	sq mi

APPENDIX 6.I

Traditional Use Study (TUS) Review Reference Material

February 2013
Project No. 10-1118-0020
Hammond Reef Gold Project

TECHNICAL MEMORANDUM

DATE July 19, 2012 **PROJECT No.** 10-1118-0020 (9300)

TO Alexandra Drapack
Osisko Hammond Reef Gold **DOCUMENT No.** 2012-037

CC Cathryn Moffett, OHRG; Ken DeVos, Steve Parker; Golder

FROM Carla A. Parslow **EMAIL** Carla_Parslow@golder.com

REVIEW REFERENCE MATERIAL METHODOLOGY AND QUESTIONNAIRE TRADITIONAL USE STUDY – DRAFT INFORMATION PACKAGE FOR REVIEWER

As per correspondence with Osisko Hammond Reef Gold (OHRG), Golder was asked to complete a review of the Traditional Use Study (TUS) Reference Material Methodology and Questionnaire and accompanying appendices. The purpose of the review is to provide input regarding the approach to seeking land use information and to consider:

- The outlined TUS objectives as set out in Section 4.0 of the (TUS) Reference Material Methodology and Questionnaire;
- Defensibility of approach to regulators and Project stakeholders;
- Expected reasonable efforts to gathering land use information; and
- Respect of the cultural and social context.

As per further correspondence with OHRG, Golder was also requested to review and provide feedback on the considerations suggested in Professor Dennis H. McPherson's review letter dated June 26, 2012; to prepare a DRAFT research agreement for Osisko's review; and to arrange for a review by a research ethics board. Research ethics boards are normally found within the realm of academic research and are typically only available to researchers employed or studying within an academic institution. However, further research on ethics review is recommended to determine if an ethic review is feasible for this proposed study and to provide alternative means to ensure the study is conducted in an ethical manner.

The following Technical Memorandum provides the results of these requests, along with accompanying appendices to provide further information to OHRG.

1.0 INPUT ON THE APPROACH TO SEEKING LAND USE INFORMATION

1.1 Objectives in Section 4.0 of the (TUS) Reference Material Methodology and Questionnaire

The objective of this study as set out in Section 4.0 of the (TUS) Reference Material Methodology and Questionnaire is to meet the federal and provincial regulatory guidelines and the information requirements

identified in the federal Environmental Impact Statement (EIS) guidelines. To this extent, the Workshop Questionnaire in Appendix B addresses the information requirements as set out in the EIS guidelines.

1.2 Defensibility of Approach to Regulators and Project Stakeholders

There are many approaches to Aboriginal traditional land use studies and some may be considered more detailed than others. The decision to conduct group workshops with Elders, rather than individual interviews with traditional knowledge holders within the participating First Nations communities was the decision of the Chiefs comprising the Fort Frances Chiefs Secretariat (FFCS) based on the minutes of the March 19, 2012 meeting. This approach is an accepted method and is, at times, preferred over the traditional individual interview method as it allows for communal sharing of information and a chance for Elders to talk about shared experiences.

When discussing the defensibility of the approach to regulators and project stakeholders, it is important that the approach promotes communication and cooperation with Aboriginal peoples. The guide "Considering Aboriginal traditional knowledge in environmental assessments conducted under the *Canadian Environmental Assessment Act* –Interim Principals" advocates the following voluntary principles. The principles are intended to provide a framework for the consideration of Aboriginal traditional knowledge and land use information, where it has been determined that the provision of this information is both desirable and appropriate. These interim principals are as follows:

- Work with the community;
- Seek prior informed consent;
- Access Aboriginal traditional knowledge with the support of the community;
- Respect intellectual property rights;
- Collect Aboriginal traditional knowledge in collaboration with the community; and
- Bring Aboriginal traditional knowledge and western knowledge together.

In March 2012, OHRG developed and presented a TUS approach to the FFCS and Lac des Mille Lacs First Nation (LDMLFN). Presentation material and the minutes of meetings are provided in Appendix A of the (TUS) Reference Material Methodology and Questionnaire. The minutes provide documentation of working with the community, with the support of the community, and in collaboration with the community.

Two recommendations to take into consideration:

1) **Inclusion of documented follow up discussions with LDMLFN**: There is documentation that FFCS approved the approach to the TUS, with the recommended changes of conducting interviews with Elders in groups; however, there is no documented approval from LDMLFN. Furthermore, Chief Whitecloud recommended that for the three communities closest to the Project location, there should be more representation (suggested having more than one Elder interview for the three communities) because these communities may provide the most information for the TUS. Section 6.3.2 of the Methods section of the Traditional Use Study (TUS) Reference Material Methodology and Questionnaire indicates that the goal for the identification of participants is to identify one to two Elders from each of the nine identified First Nations Communities, up to a maximum of 25 participants.

2) **Inclusion of documented follow up with FFCS to ensure support for the approach and methodology with the community at large**: While there is approval from the FFCS, assurance that there is support

within the larger communities is also needed in order to conduct the study. This will ensure cooperation and selection of participants who will best represent the community.

Bringing Aboriginal traditional knowledge and western knowledge together is one of the purposes for conducting TUS. Not only can Aboriginal traditional knowledge enhance the information collected through the environmental assessment components, as identified in Section 6.4 of the TUS Reference Material Methodology and Questionnaire, but Aboriginal traditional knowledge can also provide information when evaluating the Project's potential effects and their significance to the environment. Incorporation and collaboration of traditional land use with the environmental assessment components, as proposed in Section 6.4 demonstrates bridging of Aboriginal traditional knowledge and western knowledge.

Prior informed consent and the respect and protection of intellectual property rights are of upmost concern when conducting TUS. A DRAFT Consent Form is provided in Appendix A and respect and protection of intellectual property rights is included in the DRAFT Research Agreement found in Appendix B.

1.3 Expected Reasonable Efforts to Gathering Land Use Information

Section 16(1) of the CEAA states that the environmental assessment of a designated project may take into account community knowledge and Aboriginal traditional knowledge; it does not prescribe how this knowledge is collected.

In review of Traditional Use Study (TUS) Reference Material Methodology and Questionnaire, there is evidence of reasonable efforts to gathering land use information through compilation of existing information (Section 6.2) and workshops to compile new information that is specific to the local study area.

One recommendation to take into consideration is to solicit further information on the desired level of participation by Wabigoon Lake Ojibway Nation. There is no record of their interest in participating in the TUS and there is no record of their approval of the approach and methodology for the TUS.

1.4 Respect of the Cultural and Social Context

The interim principals outlined in Section 1.2 as well as the policy statement described and provided in Section 4.0 of this technical memorandum were designed to respect the cultural and social context when conducting TUS. However, further research indicates that these principals and policies have been designed by non-Aboriginal researchers and EA specialists. While well intentioned, they do not fully capture the nature of traditional land use research and what it means to Aboriginal communities. Traditional use refers to the to activities involving the harvest of traditional resources, such as hunting, trapping, fishing, gathering of medicinal plants and berry picking. Traditional use also refers to travelling to engage in the aforementioned kinds of activities and the mapping of use records the locations where these activities occur (Tobias 2000). Knowledge to carry out these activities is passed down from generation to generation. This information is not only important to the individual, it can also be considered sacred, as remarked by the minutes of the meeting with LDMLFN.

Given the value of this information to the knowledge holder and also given the cultural and social context from where this information is disseminating, it is recommended that there be consideration for another approach to research with First Nations. This approach is known as ownership, control, access, and possession (OCAP) and is sanctioned by the First Nations Information Governance Committee, Assembly of First Nations (First Nations Centre 2007).

Ownership, control, access, and possession, or OCAP, is self-determination applied to research. The principles of OCAP apply to research, monitoring and surveillance, surveys, statistics, and cultural knowledge. OCAP is broadly concerned with all aspects of information, including its creation and management.

Ownership

Ownership refers to the relationship of a First Nations community to its cultural knowledge/data/information. **The principle states that a community or group owns information collectively in the same way that an individual owns their personal information**. It is distinct from stewardship. The stewardship or care taking of data or information by an institution that is accountable to the group is a mechanism through which ownership may be asserted.

Control

The aspirations and rights of First Nations Peoples to maintain and regain control of all aspects of their lives and institutions extend to research, information and data. **The principle of control asserts that First Nations Peoples, their communities and representative bodies are within their rights in seeking to control all aspects of research and information management processes which impact them**. First Nations control of research can include all stages of a particular research project – from conception to completion. The principle extends to the control of resources and review processes, the formulation of conceptual frameworks, data management and so on.

Access

First Nations Peoples must have access to information and data about themselves and their communities, regardless of where it is currently held. **The principle also refers to the right of First Nations communities and organizations to manage and make decisions regarding access to their collective information**. This may be achieved, in practice, through standardized, formal protocols.

Possession

While ownership identifies the relationship between a people and their data in principle, possession or stewardship is more literal. Although not a condition of ownership per se, **possession (of data) is a mechanism by which ownership can be asserted and protected**. When data owned by one party is in the possession of another, there is a risk of breech or misuse. This is particularly important when trust is lacking between the owner and possessor.

It is to this effect that the DRAFT Research Agreement is based and can be found in Appendix B of this Technical Memorandum.

2.0 REVIEW OF PROFESSOR MCPHERSON'S COMMENT

Golder has reviewed the recommendations for consideration and has the following comments:

1) *A literature review of traditional use reports for planned or existing projects within NW Ontario may be limited to comparable data without any historical connecting information relative to the Hammond Reef Gold Project.*

Agreed. This will be difficult to complete as there may not be any historical information relative to the Project location and it will need to be acknowledged in the final report. This lack of historical connecting information

relative to the Hammond Reef Gold Project will not compromise the study. The connection between the Cultural heritage TSD and the TUS will provide some historical connection but it will not be specific to the project area; rather, it will provide a picture of the larger regional area. Professor McPhearson's comment is an observation rather than a recommendation.

2) *I would recommend enhancement to the Workshops in 6.3 of the Collection of Land Use Information with follow-up random administration of survey questionnaires within the identified First Nations communities. Conceptual design of the questionnaires should address data collected in the workshops*.

Agreed. This will enhance the study (build a larger database of information) and will provide those who did not or could not participate in the workshop an opportunity to share their knowledge. Something that Osisko should consider is that the Elder participating in the workshop may have a different life experience than other Elders in their community. This could be due to gender, family lineage, geography, etc. This follows the earlier recommendation as expressed by Chief Whitecloud of LDMLFN.

This will need to be discussed with Chief and Council for the FN Communities and will also need to be administered by someone within each community – preferably an Elder. A survey questionnaire would also need to be packaged with a consent form and maps for drawing on.

3) Although it may not be applicable, a review of the Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans, 2nd edition (TCPS2) should be undertaken paying particular attention to Chapter 9, Research Involving the First Nations, Inuit and Metis Peoples of Canada. Chapter 9 of TCPS2 can be found at the following URL; http://www.pre.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/chapter9-chapitre9/.

Agreed. Professor McPherson recommends reviewing the *Tri-Council Policy Statement: Ethical Conduct of Research* Agreed. I have provided a condensed version in an appendix with the most relevant information on this policy statement for the proposed TUS. I further suggest that the following information published by the First Nations Centre (2005) also be reviewed and incorporated into the Research Agreement (as done in the Draft Research Agreement found in Appendix B):

First Nations Centre. OCAP: Ownership, Control, Access and Possession. Sanctioned by the First Nations Information Governance Committee, Assembly of First Nations. Ottawa: National Aboriginal Health Organization www.naho.ca/english/pub_research.php

4) Informed consent should be obtained from all participants. An informed consent statement should include the following:

a) A brief description of the purpose and procedure of the research, including the expected duration of the study.

b) A statement of any risks or discomfort associated with participation.

c) A guarantee of anonymity and the confidentiality of records.

d) The identification of the researcher and of where to receive information about subjects rights or questions about the study.

e) A statement that participation is completely voluntary and can be terminated at any time without penalty.

f) A statement of alternative procedures that may be used.

g) A statement of any benefits or compensation provided to subjects and the number of subjects involved.

h) An offer to provide a summary of findings.

Agreed. This is a basic of TUS or any research involving human participants. Appendix A offers such informed consent forms.

5) Analysis of qualitative data gleaned from the workshops may require a hermeneutical approach to interpretation for verification and validation. In addition, analysis of quantitative data collected through the administration of a survey instrument will require use of a computer program such as SPSS (Statistical Package for the Social Sciences).

Because it is proposed by FFFNS that the TUS be focused on general rather than specific locations, much of the data will be qualitative. However; it will still be spatial data and for this GIS is far superior in that it is geo-statistical (geographical and statistical); whereas SPSS and other statistical programs cannot offer the geographical/spatial component. There are instances where SPSS can enhance the statistical component to this proposed TUS; however, the statistical component does not require this rigorous type of analysis.

3.0 DRAFT RESEARCH AGREEMENT

A DRAFT Research Agreement is included in Appendix B. This DRAFT Research Agreement is adapted from the *Considerations and Templates for Ethical Research Practices* published by the First Nation Centre (2003). The *Considerations and Templates for Ethical Research Practices* is an adaptation of the Assembly of First Nations' 1999 paper entitled *Template for a Community Code of Ethics in Research and Data Sharing Protocols* that provides practical guidance to communities interested in developing their own research policies and protocols.

The original Research Agreement has been modified for Osisko's use and is relevant to the TUS. Some sections in the DRAFT Research Agreement will require input from Osisko prior to finalization.

Also included in Appendix A is a DRAFT Informed Consent Form. Informed consent is a fundamental principal whenever human beings are involved as the subjects of research. A signed consent form is the respondent's acknowledgement that they agreed to participate and also formalized the respondent's permission (Tobias 2009). The consent form also protects those conducting the study, Osisko.

The DRAFT Informed Consent Form does not currently include any information on remuneration or honoraria for participating in the study. Remuneration or honoraria for participating in the study should be considered by Osisko and clearly stated in the Consent Form.

Additionally, confidentiality forms should be developed for those facilitating the study.

4.0 REVIEW BY A RESEARCH ETHICS BOARD

Review by a research ethics board is common when conducting research on humans in an institutional setting or when the agency funding the research is a government body. When conducting a TUS, it is not common for the

methodologies to be reviewed by an ethics board, unless it is in the context of the circumstances listed above. In this instance, review of the workplan should be conducted by the communities involved in the study.

Should there be concern over the ethics of the study, the *Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans, 2nd edition (TCPS2),* Chapter 9, Research Involving the First Nations, Inuit and Métis Peoples of Canada should be consulted. The policy statement is used by the Canadian Research Ethics Board for research projects that are funded through the Canadian Institute of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada. Below contains a condensed version that has been edited for the purposes of this study and are directly applicable to the proposed TUS. Six Articles have been removed from the policy statement below for reasons of (1) addresses complex authority systems or public institutions (Articles 9.5 and 9.7); (2) addresses research affiliated with an institution (articles 9.9 and 9.10); or (3) is directed at research involving human biological sampling (Articles 9.19 and 9.20):

Requirement of Community Engagement in Aboriginal Research

Article 9.1 Where the research is likely to affect the welfare of an Aboriginal community, or communities, to which prospective participants belong, researchers shall seek engagement with the relevant community. The conditions under which engagement is required include, but are not limited to:

a) Research conducted on First Nations, Inuit or Métis lands;

b) Recruitment criteria that include Aboriginal identity as a factor for the entire study or for a subgroup in the study;

c) **Research that seeks input from participants regarding a community's cultural heritage, artifacts, traditional knowledge or unique characteristics**;

d) Research in which Aboriginal identity or membership in an Aboriginal community is used as a variable for the purpose of analysis of the research data; and

e) Interpretation of research results that will refer to Aboriginal communities, peoples, language, history or culture.

Nature and Extent of Community Engagement

Article 9.2 The nature and extent of community engagement in a project shall be determined jointly by the researcher and the relevant community, and shall be appropriate to community characteristics and the nature of the research.

Respect for First Nations, Inuit and Métis Governing Authorities

Article 9.3 Where a proposed research project is to be conducted on lands under the jurisdiction of a First Nations, Inuit or Métis authority, researchers shall seek the engagement of formal leaders of the community, except as provided under Articles 9.6.

Engagement with Organizations and Communities of Interest

Article 9.4 For the purposes of community engagement and collaboration in research undertakings, researchers shall recognize Aboriginal organizations, including First Nations, Inuit and Métis representative bodies, and

service organizations and communities of interest, as communities. They shall also recognize these groups through representation of their members on ethical review and oversight of projects, where appropriate.

Recognizing Diverse Interests within Communities

Article 9.6 In engaging territorial or organizational communities, researchers should ensure, to the extent possible, that they take into consideration of the views of all relevant sectors – including individuals and subgroups who may not have a voice in the formal leadership. Groups or individuals whose circumstances make them vulnerable may need or desire special measures to ensure their safety in the context of a specific research project. Those who have been excluded from participation in the past may need special measures to ensure their inclusion in research.

Respect for Community Customs and Codes of Practice

Article 9.8 Researchers have an obligation to become informed about, and to respect, the relevant customs and codes of research practice that apply in the particular community or communities affected by their research. Inconsistencies between community custom and this Policy should be identified and addressed in advance of initiating the research, or as they arise.

Research Agreements

Article 9.11 Where a community has formally engaged with a researcher or research team through a designated representative, the terms and undertakings of both the researcher and the community should be set out in a research agreement before participants are recruited.

Collaborative Research

Article 9.12 As part of the community engagement process, researchers and communities should consider applying a collaborative and participatory approach as appropriate to the nature of the research, and the level of ongoing engagement desired by the community.

Mutual Benefits in Research

Article 9.13 Where the form of community engagement and the nature of the research make it possible, research should be relevant to community needs and priorities. The research should benefit the participating community (e.g., training, local hiring, recognition of contributors, return of results), as well as extend the boundaries of knowledge.

Strengthening Research Capacity

Article 9.14 Research projects should support capacity building through enhancement of the skills of community personnel in research methods, project management, and ethical review and oversight.

Recognition of the Role of Elders and Other Knowledge Holders

Article 9.15 Researchers should engage the community in identifying Elders or other recognized knowledge holders to participate in the design and execution of research, and the interpretation of findings in the context of cultural norms and traditional knowledge. Community advice should also be sought to determine appropriate recognition for the unique advisory role fulfilled by these persons.

Privacy and Confidentiality

Article 9.16 Researchers and community partners shall address privacy and confidentiality for communities and individuals early on in the community engagement process. The extent to which limited or full disclosure of personal information related to the research is to be disclosed to community partners shall be addressed in research agreements where these exist. Researchers shall not disclose personal information to community partners without the participant's consent, as set out in Article 3.2(i).

Interpretation and Dissemination of Research Results

Article 9.17 Researchers should afford community representatives engaged in collaborative research an opportunity to participate in the interpretation of the data and the review of research findings before the completion of the final report, and before finalizing all relevant publications resulting from the research.

Intellectual Property Related to Research

Article 9.18 In collaborative research, intellectual property rights should be discussed by researchers, communities and institutions. The assignment of rights, or the grant of licences and interests in material that may flow from the research, should be specified in a research agreement (as appropriate) before the research is conducted.

Secondary Use of Information Identifiable as Originating from Aboriginal Communities or Peoples

Article 9.21 Where research relies only on publicly available information or on legally accessible information as defined in Article 2.2, community engagement is not required. Where the information can be identified as originating from a specific community or a segment of the Aboriginal community at large, seeking culturally informed advice may assist in identifying risks and potential benefits for the source community.

5.0 CONCLUSION

The review of the Traditional Use Study (TUS) Reference Material Methodology and Questionnaire and accompanying appendices finds that the workplan and questionnaire are acceptable in that the outlined TUS objectives as set out in Section 4.0 of the (TUS) Reference Material Methodology and Questionnaire. Furthermore, the methodology as set out in Section 6.0 are as follows:

- defensibility of approach to regulators and Project stakeholders;
- represent reasonable efforts to gathering land use information; and
- respect of the cultural and social context.

Furthermore, this review recommends that the following points be taken into consideration:

1) Inclusion of documented follow up discussions with LDMLFN;
2) Inclusion of documented follow up with FFCS to ensure support for the approach and methodology with the community at large; and
3) Solicit further information on the desired level of participation by Wabigoon Lake Ojibway Nation.

Golder has also reviewed the recommendations for consideration by Professor McPherson and is in agreement with his recommendations, with the exception of the fifth recommendation for a hermeneutic approach to

analysis and the use of a statistical program, such as SPSS. The data will have a spatial context, therefore a program that uses GIScience is preferred and recommended.

A DRAFT Research Agreement and Consent form are included in Appendix A and B. These are in draft form and will require further input from Osisko. It is also recommended that these documents be reviewed by Osisko's legal council prior to finalization.

It was determined that an ethics board review is not necessary for this study. Ethics boards are set up by institutions or funding agencies. It is suggested that the revised *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* and the *Ownership, Control, Access and Possession* documentation provided in this technical memorandum be reviewed and distributed to the First Nations communities and adopted by Osisko for the purpose of this study.

6.0 REFERENCES CITED

Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada.

2010 *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*. http://www.pre.ethics.gc.ca/pdf/eng/tcps2/TCPS_2_FINAL_Web.pdf. Accessed July 13, 2012.

Government of Canada

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First Nations Centre.

2007 *OCAP: Ownership, Control, Access and Possession.* Sanctioned by the First Nations Information Governance Committee, Assembly of First Nations. Ottawa: National Aboriginal Health Organization www.naho.ca/english/pub_research.php

2003 *Considerations and Templates for Ethical Research Practices*. Ottawa: National Aboriginal Health Organization.

Tobias, T.

2009 *Living Proof: The Essential Data-Collection Guide for Indigenous Use and Occupancy Map Surveys*. A Joint Publication of the Union of BC Indian Chiefs and Ecotrust Canada. Vancouver, B.C.

2000 *Chief Kerry's Moose*. A Joint Publication of the Union of BC Indian Chiefs and Ecotrust Canada. Vancouver, B.C.

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APPENDIX A
Informed Consent Form

APPENDIX A
Informed Consent Form

Declaration of Informed Consent

Today (complete date),_____, I (name) _____agree to participate in workshops led by Osisko Hammond Reef Gold (OHRG). The purpose of these workshops is to record details pertaining to the traditional use of land for the local study area for the proposed Hammond Reef Gold Project ("Project").

The intent of these workshops is to verify and update existing information and to collect further information on traditional use of the land in order to enhance OHRG's understanding of Aboriginal traditional use and knowledge in the design of the Project to the extent possible, with the goal of minimizing potential effects and maximizing potential benefits to Aboriginal communities. This information will be used in the Technical Support Documents for Aquatic Biology; Terrestrial Biology; Hydrology; and Cultural Heritage, and taken into consideration as part of the environmental effects assessment for the Project, where applicable.

As part of the meeting, I understand the following:

1. My words and responses may be recorded in written notes;
2. My words and responses may be digitally recorded and transcribed;
3. I can choose not to respond to any and all questions that may be asked;
4. I can choose to answer questions I believe to be sensitive in a general manner that makes the point without conveying sensitive or confidential information;
5. I can request that information be kept confidential;
6. I can end my participation in the meeting at any time; and
7. The meeting notes and recordings outlined in (1) and (2) above will not be made public.

However, the information obtained through the meeting may be incorporated into the Technical Support Documents and/or other Environmental Assessment documentation prepared in connection with the Project. Moreover, unless I consent below, this information will be collected and presented in such a way as to not reveal my identity or my personal information. In general, I understand that this information will be collected and presented in a manner that represents the group without identifying any individual member or their personnel information.

I also understand that all reasonable efforts will be taken as to not identify any one person or group of persons through the presentation of the data collected but depending on the available data (or the paucity of same) this may not be entirely avoidable.

Finally, I understand that if I choose to request that the information be kept confidential as per (5) above, this information will be excluded altogether from the Report.

The Technical Support Documents and/or other Environmental Assessment documentation as described above, or portions thereof, may be made available to the public.

APPENDIX A
Informed Consent Form

CONFIRMATION AND INSTRUCTION:
(Please choose one only)

I. I hereby agree that information collected in the manner described herein can be used and presented as part of collective and aggregated data (e.g. pooled data sets, etc) in the reports/documents associated with the Project without identifying me personally subject to the limitations mentioned above;

Signature of Participant Witness

_____ _____

Interview Identification # _____

-OR-

II. Any and all information collected about me, including my name and other details, may be released as part of any reports/documents associated with the Project;

Signature of Participant Witness

_____ _____

Interview Identification # _____

-OR-

III. Further to point 5**,** I hereby request that any and all information collected be kept confidential and totally and completely excluded from any reports/documents associated with the Project.

Signature of Participant Witness

_____ _____

Interview Identification # _____

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APPENDIX B
Draft Research Agreement

APPENDIX B
DRAFT Research Agreement

HAMMOND REEF GOLD PROJECT – TRADITIONAL USE STUDY RESEARCH AGREEMENT

THIS COLLABORATIVE RESEARCH AGREEMENT is made this ____ day of ____, 2012.

BETWEEN:

Osisko Hammond Reef Gold

Address: _____
_____
Telephone: _____
Facsimile: _____
Email: _____

AND:

_____ First Nation Community

Contact person(s): _____
Organization: _____
Address: _____
_____
Telephone: _____
Facsimile: _____
Email: _____

Osisko Hammond Reef Gold as named and the _____ First Nation agree to conduct the named collaborative research project in accordance with the guidelines and conditions described in this document.

APPENDIX B
DRAFT Research Agreement

1.0 PURPOSE - SCOPE OF THE RESEARCH PROJECT

The purpose of the traditional use study is to meet federal and provincial regulatory requirements associated with the EA. OHRG will consider Aboriginal traditional use and knowledge in the design of the Project to the extent possible, with the goal of minimizing potential effects and maximizing potential benefits to Aboriginal communities.

The following information requirements have been identified in the federal Environmental Impact Statement (EIS) Guidelines issued for the Project:

- Identification of asserted and established Aboriginal and treaty rights
- Identification of traditional activities
  - Camp locations and traditional travel routes
  - Traditional use of waterways and water bodies
  - Dependence on country foods (from hunting, fishing, trapping, planting and harvesting)
  - Fishing locations and fish species of importance
  - Harvesting locations and plants species used for medicinal and ceremonial purposes
  - Spiritual site locations and nature of use
- Evaluation of the ability of future generations of Aboriginal people to pursue traditional activities
- Current and projected value of the hunting, trapping and guiding industries

2.0 METHODS AND PROCEDURES

2.1 Consultation and Review

Approval from Chiefs: Insert information on final approval dates with FFCS, LDMLFN, and WLO FN.

Academic Review: OHRG intends to engage an academic professional to provide a review of the TUS Methodology and Questionnaire. The purpose of an academic review is to ensure that the approach to seeking land use information will:

- Meet the outlined TUS objectives;
- Be defensible to regulators and Project stakeholders;
- Represent a reasonable effort to gathering land use information; and
- Be respectful of the cultural and social context.

Regulatory Review: Osisko intends to share this TUS information package with federal and provincial government regulators as the approach to meeting land use and traditional knowledge information requirements outlined in the federal EIS Guidelines. The regulators will be given the opportunity to advise OHRG of any gaps or omissions that may exist in the proposed approach to ensure that the outlined methods are appropriate to meet the provincial and federal EA requirements.

2.2 Compilation of Existing Information

Compiling and reviewing existing information will include:

- A request to all 9 First Nation communities for access to existing traditional use studies
- A literature review of traditional use reports for planned or existing projects within NW Ontario

Information Request: Existing land use information was solicited from the FFCS and LDMLFN during the initial presentations on March 18 and 19, 2012 (see Appendix A) indicated that existing TUS information could be made available to OHRG and provided approval for OHRG to obtain the information.

Independent Research: Research will focus on projects and land claims in Northwestern Ontario that have required TUS reports. Data sources may include:

- Forest management plans
- Ontario Mining Association
- Academic journals
- Canadian Environmental Assessment Registry
- Aboriginal Affairs and Northern Development Canada

2.3 Collection of Land Use Information

Development of Questionnaires: Questionnaires were developed based on an example questionnaire provided by Lac des Mille Lacs First Nation and the methods outlined in the publication *Living Proof* (Tobias 2009). A copy of the draft questionnaire is provided in Appendix B. Questions were formulated around four discussion topics:

- Fish and Water
- Hunting and Land Use
- Transportation
- Past and Future Use

Identification of Participants: A formal call for participants will be issued through the FFCS, the Lac des Mille Lacs band administrator and the Wabigoon Lake Ojibway Nation administration. The goal will be to identify one to two Elders from each of the nine identified First Nations Communities; up to a maximum of twenty five participants. The call for participants will ask for interested individuals with knowledge of land and resource use practices in the area. Participants will need to be able to travel, and willing to attend three successive meetings to discuss land and resource use with respect to the Project. Informal invitations will also be extended through the local OHRG Senior Aboriginal advisor.

Development of Information Materials: Information materials provided at the workshops will include power point presentations, maps and fact sheets.

a) ***Presentations:*** An animated video will be shown to provide a basic understanding of the Project. Power point presentations will be prepared to provide an overview of the TUS objectives and the aquatic and terrestrial biology baseline results. Hard copies of the presentations will be available to participants.

b) ***Maps:*** Small and large scale maps (in hard copy) will be provided to illustrate:

- Aquatic biology Areas of Potential Impact
- Terrestrial biology sampling locations
- Fish habitat
- Ecological land classification

Maps will also be available for mark-up by workshop participants as a means of recording personal land use practices and highlighting specific areas of interest.

c) ***Fact Sheets:*** Plain language, double-sided, full colour information handouts will be prepared for distribution at the workshops, including fact sheets on the following topics:

- Questionnaires
- Project overview
- Traditional use study (including objectives and study area)
- Aquatic biology baseline results
- Terrestrial biology baseline results
- Stage One archaeology assessment

2.4 Facilitation of Workshops

Three workshops will take place with the identified group of Elders. Traditional protocols will be followed as appropriate; including drumming, tobacco offerings, prayers and the sharing of a meal. Workshop presentations will be orally translated into Ojibway throughout the workshop if deemed necessary. The first and second workshops will be scheduled approximately two weeks apart so that the information presented can be readily recalled. This also gives the participants the opportunity to read the questionnaires, discuss and think over their responses.

Workshop 1: Clarify Objectives

The first meeting will serve as an introduction to the TUS and will provide an opportunity to clarify the objectives of the study. The meeting is anticipated to take place at a community roundhouse. The format will include a presentation by OHRG on the objectives of the TUS, a summary of baseline results, time for discussion and questions, and distribution of questionnaires.

The planned format of the second workshop will be explained, including an introduction to the discussion topics. Emphasis will be made on the need to focus discussion on land use practices local to the study area.

Workshop 2: Share Information

The second workshop is planned to occur approximately two weeks after the first, and include the same participants. The format of the second workshop will be facilitated small group discussions. Participants will be invited to choose two of four topics and participate in small group discussions with the EA leads for these topics. Maps will be provided to each group for mark-up.

Workshop 3: Confirm Findings

The final workshop will focus on sharing feedback received during the second workshop. The purpose is to confirm the findings and discuss how the information will be used to inform the Project planning process.

Maps with the results from Workshop 2 will be provided indicating:

- Fishing areas, types of fish targeted with locations, spawning areas, ice fishing areas, and flow patterns as they are known in the Marmion Reservoir.
- Hunting, trapping and gathering areas including game trails, breeding, nesting and calving areas.
- Transportation routes (all seasons) overlaid on the watershed flow maps so that the routes have a context for their locations. Routes will include, walking, canoe - boat, 4-trac, roads, snowmobile, dog sled or any other method used to access the study area.
- Culturally and spiritually important sites in the study area. The map will also indicate traditional land uses that are not covered under hunting, fishing and gathering that should be maintained for future generations and for which the area is known to be used for.

In addition to the maps detailed above, a power point presentation will be given with a focus on what was learned and how it will be integrated into the EA Report. The final meeting will also include a discussion of confidentiality and confirmation of what level of information is appropriate to be shared externally through the EA Report.

3.0 EXPECTED OUTCOMES, BENEFITS AND RISKS

The expected outcomes of this research project are: _____

_____

The project will benefit the Osisko in the following ways: _____

_____

The project will benefit the community (individually or collectively) in the following ways: _____

_____

The project poses the following risks to the community: _____

_____

Measures that will be taken to minimize these risks are: _____

_____

APPENDIX B
DRAFT Research Agreement

4.0 OBLIGATIONS AND RESPONSIBILITIES

External Research Partner - Osisko

- To do no harm to the community.
- To involve the community in active participation of the research process and to promote it as a community-owned activity.
- To ensure the research's design, implementation, analysis, interpretation, reporting, publication and distribution of its results are culturally relevant and in compliance with the standards of competent research.
- To undertake research that will contribute something of value to the community.
- To ensure that new skills are acquired by community members, such as research design, planning, data collection, storage, analysis, interpretation and so on.
- To be stewards of the data until the end of the project if requested or appropriate.
- To promote the dissemination of information to society at large, if desired and appropriate, through both written publications and oral presentations.
- To be involved in any future analysis of the data after the data is returned to the community, if requested.
- To abide by any local laws, regulations and protocols in effect in the community or region, and to become familiar with the culture and traditions of the community.
- Within their respective roles as researchers and community representatives, to advocate and address health, social or other issues that may emerge as a result of the research.
- To ensure that the community is fully informed in all parts of the research process, including its outcomes through publications and presentations, and to promptly answer questions that may emerge regarding the project and its findings.
- To communicate equally with the other partners in all issues arising in the project.
- To ensure that research carried out is done in accordance with the highest standards, both methodologically and from a First Nations cultural perspective.
- To support the community by providing resources as a matter of priority (e.g., research funding to support community research coordinator).
- To abide by their own professional standards, their institution's guidelines for ethical research and general standards of ethical research.

APPENDIX B
DRAFT Research Agreement

Community-Based Researcher - Elder

In addition to the obligations listed for the external research partners, the community researcher is obligated:

- To provide a link between the research project team and other community members, and provide relevant, timely information on the project.
- To place the needs of the community as a first priority in any decision where the community researcher's dual roles of community member and researcher may be in conflict.
- In situations where a research project is promoting healthy lifestyles or practices, to promote the intervention objectives of the project by working closely with community health, social and/or education professionals.
- To be stewards of the data until the end of the project if requested or appropriate.

Community Partner – FFCS; Lac des Mille Lacs First Nation; Wabigoon Lake Ojibway

- First and foremost, to represent the interests, perspectives and concerns of community members and of the community as a whole.
- To ensure that research carried out is done in accordance with appropriate standards, both methodologically and from a First Nations cultural perspective.
- To communicate the results of the research to other communities, and to share ideas as well as program and service development for mutual benefit and involvement.
- To serve as the guardian of the research data during and/or after completion of the project.
- To offer the external and community researchers the opportunity to continue data analyses before the data are offered to new researchers.

5.0 FUNDING

This section identifies funding sources and sets out the responsibilities of all partners with respect to funding requirements.

*In most cases, responsibility to fulfill funding and reporting requirements falls primarily to the principal researchers, so this may not be applicable.

6.0 DISSEMINATION OF RESULTS

Research results will be disseminated to the following stakeholders: _____

Research results will be disseminated in the following manner: _____

Any future publication or dissemination of research results, beyond what is described in this agreement, shall not be undertaken without consultation with the _____ First Nation community.

APPENDIX B
DRAFT Research Agreement

7.0 DATA OWNERSHIP AND INTELLECTUAL PROPERTY RIGHTS

The individual owns his or her personal information while the _____ First Nation owns the collective data.

The _____ First Nation retains all intellectual property rights (including copyright), as applicable, to the data offered under this agreement.

Access and stewardship of the collective data are negotiated and determined by the First Nation.

8.0 COMMUNICATION

Communication on the research, including progress reports to the community, will be conducted in the following ways: _____

In the case of media inquiries during or after the project, designated spokespersons are: _____

Where possible the community will be the first to receive research results and the first invited to provide input and feedback on the results. The results should be presented in a format that is language appropriate and accessible to the community. Results will not be released without the approval of the community.

At the end of the study, the research partners agree to participate in community meetings to discuss the results and their implications.

9.0 DISPUTE RESOLUTION

In the event that a dispute arises out of or relates to this research project, both parties agree first to try in good faith to settle the dispute by mediation administered by an agreed upon neutral party before resorting to arbitration, litigation or some other dispute resolution procedure. A mediator will assist the parties in finding a resolution that is mutually acceptable.

If a dispute cannot be resolved to the satisfaction of both parties, the research project may be terminated according to the terms described below.

10.0 TERM AND TERMINATION

This agreement shall have an effective date of _____ and shall terminate on _____.

This agreement may be terminated by the written notification of either party.

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HAMMOND REEF GOLD PROJECT LTD.

REQUEST FOR PROPOSAL

Scope of work

Osisko requires an external (expert review) of the planned questionnaire content and methodology for the capture of traditional use information from First Nation informants. The purpose is to ensure that Osisko exercises due diligence in the capture of the information or knowledge about the current use of lands and resources for Traditional purposes by Aboriginal persons and that that information be useful for integration into the environmental assessment.

The reviewer will be provided with a TUS workplan (approximately 15 – 20 pages in length) and a DRAFT questionnaire and will be asked to comment on the proposed methodology.

Expected Deliverable

- A revised questionnaire and work plan or a letter stating that the proposed work plan and questionnaire are adequate without changes.

Documents to be provided for the purpose of selection

- *Curriculum vitae* (CV) of the reviewer
- List of similar projects that the reviewer may have worked on
- Cost estimate to complete the work required (including estimated hours and hourly rate as well as any expenses)
- A schedule to complete the review. Note: (Deliverable required by Osisko by the end of May)

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BACKGROUND INFORMATION

Project Overview

The Hammond Reef property is located within the Thunder Bay Mining District in northwestern Ontario. The property is approximately 170 km west of Thunder Bay, Ontario and approximately 30 km northeast of the town of Atikokan, Ontario. Atikokan is located 3 km north of Highway 11 and has a population of approximately 3,400.

Access to the Hammond Reef property is presently via two routes: the Premier Lake Road, a gravel road that intersects Highway 623 near Sapawe and the Hardtack-Sawbill Road, a gravel road that intersects Highway 622 northwest of the Town of Atikokan. The exploration camp is located at the northern end of Sawbill Bay in Upper Marmion Reservoir. The property is also accessible by water from the southwest end of the Marmion Reservoir at its access point from Highway 622. The existing Hardtack-Sawbill road located to the north of Finlayson Lake has been upgraded to provide an improved and more direct linkage to the site in support of the expanded exploration program.

The Hammond Reef deposit is located mainly on a peninsula of land extending into the north end of the Upper Marmion Reservoir. The peninsula containing the deposit is surrounded by the Marmion Reservoir on three sides with Sawbill Bay to the northwest and Lynxhead Bay to the southeast. The property also contains a number of smaller lakes. Mitta Lake is a small, steep-sided waterbody located atop mineralized zones of the deposit. Due to its location, the planned open pit mine and secondary pit areas will encompass Mitta Lake.

The planned Hammond Reef Gold Mine (the project) is currently undergoing Environmental Assessments for both the Province of Ontario through an individual EA and the Canadian Government in a comprehensive study process. An important component of the processes is the recognition that traditional knowledge can provide an important contribution to environmental planning.

First Nations with interests in the project and its potential effects include:

- Seine River First Nation
- Lac des Mille Lacs First Nation
- Lac la Croix First Nation
- Mitaanjigamiing First Nation
- Naicatchewenin First Nation
- Nigigoonsiminikaaning First Nation
- Couchiching First Nation
- Rainy River First Nation and;
- Wabigoon Lake Ojibway Nation

Osisko has worked with members of each community, including Elders, to build the relationships necessary to allow the company to attempt to collect traditional knowledge with the aim to incorporate it into the environmental assessment process.

Osisko intends to complete a project for collecting traditional knowledge and traditional use information over the next few months to meet the requirements of the environmental assessments and in particular the Canadian Environmental Assessment Act.
(Map of project location included on next page)

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Requirements of the Canadian Environmental Assessment Act

Within the federal Environmental Assessment Act Section 16.1 of the Act states that "community knowledge and aboriginal traditional knowledge may be considered in conducting an EA", and the definition of an environmental effect in the Act addresses the current use of lands and resources for traditional purposes by Aboriginal persons.

The Environmental Impact Statement (EIS) guidelines state that the EA shall promote and facilitate the contribution of traditional and local knowledge to the review process. The Proponent shall incorporate into the EIS the traditional and local knowledge to which it has access or that it may reasonably be expected to acquire through appropriate due diligence, in keeping with appropriate ethical standards and without breaching obligations of confidentiality.

Osisko's plan for meeting the EIS guidelines with respect to Traditional Use Studies (TUS)

- Collecting existing TUS information available among aboriginal partner communities with an interest in the project. Some work of this type may have been generated in the past for purposes such as forest management planning, flood claims research and other specific claims.
- Developing a questionnaire and methodology for collecting TUS information. Based on what is known about the uses of the land from other reports and combined with Osisko's baseline environmental report information some questions can be developed to provide a verification of:
    - Criteria and indicators for assessment
    - Assumptions about usage of the site (for example for navigation)
    - The land's provision of ecosystem services that currently enable traditional use.
- External (expert) review of the questionnaire/methodology. This is the portion that is the focus of this RFP.
- Regulator (Canada and Ontario) review of questionnaire/methodology
- Meeting #1 – presentation to Elders of the Objectives of the TUS information collection and the Project Area of Interest.
- Meeting #2 – interviewing of Elders
- Analysis of information to determine if additional fieldwork is required and to formally incorporate the information into the environmental assessment.

Plan considerations:
The First Nations communities interested in the project are each distinct from each other yet share common origins and cultural linkages. Their territorial interests are extensive due to their trading history and the many canoe routes through the region. The complex patterns of use by the interested communities make selection of informants for individual interviews difficult.

It is important to maintain community support for this project and the use of information that is derived from it throughout the process.

June 26, 2012

Ms Cathryn Moffet,
Osisko Hammond Reef Gold,
155 University Avenue,
Suite 1440,
Toronto, ON.,
M5H 3B7

RE: Hammond Reef Gold Project,
Reference Material Methodology and Questionnaire,
Traditional Use Study – Draft Information Package for Reviewer.

Dear Cathryn,

Having reviewed the Draft Information Package for Reviewer and pursuant to our telephone conversation of this morning I would like to highlight the following.

As stated, and I quote, in the text, "The purpose of an academic review is to ensure that the approach to seeking land use information will:

- Meet the outlined TUS objectives;
- Be defensible to regulators and Project stakeholders;
- Represent a reasonable effort to gathering land use information, and;
- Be respectful of the cultural and social context."

To this end, I find the Reference Material Methodology and Questionnaire to be mostly adequate to meet these purposes however, I would like to recommend the following points be taken into consideration.

1. A literature review of traditional use reports for planned or existing projects within NW Ontario may be limited to comparable data without any historical connecting information relative to the Hammond Reef Gold Project.
2. I would recommend enhancement to the Workshops in 6.3 of the Collection of Land Use Information with follow-up random administration of survey questionnaires within the identified First Nations communities. Conceptual design of the questionnaires should address data collected in the workshops.
3. Although it may not be applicable, a review of the *Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans, 2nd edition(TCPS2)*should be undertaken paying particular attention to Chapter 9, Research Involving the First Nations, Inuit and Metis Peoples of Canada. Chapter 9 of TCPS2 can be found at the following URL; http://www.pre.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/chapter9-chapitre9/.
4. Informed consent should be obtained from all participants. An informed consent statement should include the following;
    a. A brief description of the purpose and procedure of the research, including the expected duration of the study.
    b. A statement of any risks or discomfort associated with participation.
    c. A guarantee of anonymity and the confidentiality of records.
    d. The identification of the researcher and of where to receive information about subjects rights or questions about the study.
    e. A statement that participation is completely voluntary and can be terminated at any time without penalty.
    f. A statement of alternative procedures that may be used.
    g. A statement of any benefits or compensation provided to subjects and the number of subjects involved.

h. An offer to provide a summary of findings.[1]

5. Analysis of qualitative data gleaned from the workshops may require a hermeneutical approach to interpretation for verification and validation. In addition, analysis of quantitative data collected through the administration of a survey instrument will require use of a computer program such as SPSS (Statistical Package for the Social Sciences).

I trust this will be useful. Should you have further questions please do not hesitate to contact me.

Respectfully,

Dennis H. McPherson

[1] . Neuman, W. Lawrence, (2003) Social Research Methods, Qualitative and Quantitative Methods. Allyn and Bacon, Toronto.

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July 9, 2012

Tammy Ryll
Executive Director
Fort Frances Chiefs Secretariat
Site 206-39, R.R. #2
Fort Frances, OntarioP9A 3M3

Dear Tammy,

Re: Call for Elders to Participate in OHRG Traditional Use Study (TUS)

I am writing this letter as a follow-up to my presentation on June 18 2012 to the Fort Frances Chiefs Secretariat regarding our Traditional Use Study for the Hammond Reef Gold Project Environmental Assessment.

As presented, we are looking for 1-2 Elders from each community to participate in a series of 3 meetings to gather traditional use information. We are looking for participants who are able to commit to attending all 3 meetings.

We have tentatively set the following dates and locations for the meetings:

- Meeting #1 – July 31 2012 – Nigigoonsiminikaaning First Nation
- Meeting #2 – August 16 2012 – Location to be determined
- Meeting #3 – September 12 2012 – Location to be determined

We would like your assistance in distributing this formal call for participants in our Traditional Use Study. We look forward to working with your communities to better understand traditional land use in the area. Bud Dickson will be following up by contacting the communities directly to arrange for Elder attendance at the meetings.

Regards,

<Original signed by>

Alexandra Drapack, MBA, P.Eng.
Director Sustainable Development

cc. Osisko: Robert Mailhot, Hélène Cartier, Martin Griffin, Bud Dickson, Cathryn Moffett
Golder: Steve Parker

155 University Av., Suite 1440, Toronto, Ont., Canada M5H 3B7
Telephone (416) 363-8653 – Telecopier (416) 363-7579
www.osisko.com

OSISKO

July 9, 2012

Lac des Mille Lacs First Nation
1100 Memorial Ave,
Suite 328,
Thunder Bay, ON
P7B 4A3

Dear Chief White Cloud,

Re: Call for Elders to Participate in OHRG Traditional Use Study (TUS)

I am writing this letter to request your assistance in distributing this formal call for participants in our Traditional Use Study for the Hammond Reef Gold Project Environmental Assessment.

We are looking for 1-2 Elders from your community to participate in a series of 3 meetings to gather traditional use information. We are looking for participants who are able to commit to attending all 3 meetings.

We have tentatively set the following dates and locations for the meetings:

- Meeting #1 – July 31 2012 – Nigigoonsiminikaaning First Nation
- Meeting #2 – August 16 2012 – Location to be determined
- Meeting #3 – September 12 2012 – Location to be determined

We look forward to working with your community to better understand traditional land use by your community. Bud Dickson will be following up by contacting Lac des Mille Lacs First Nation directly to arrange for Elder attendance at the meetings.

Regards,

<Original signed by>

Alexandra Drapack, MBA, P.Eng.
Director Sustainable Development

cc. Osisko: Robert Mailhot, Hélène Cartier, Martin Griffin, Bud Dickson, Cathryn Moffett
Golder: Steve Parker

OSISKO

July 9, 2012

Wabigoon Lake Ojibway Nation
Site 115, Box 300
RR #1
Dryden, ON
P8N 2Y4

Dear Chief Cantin,

Re: Call for Elders to Participate in OHRG Traditional Use Study (TUS)

I am writing this letter to request your assistance in distributing this formal call for participants in our Traditional Use Study for the Hammond Reef Gold Project Environmental Assessment.

We are looking for 1-2 Elders from your community to participate in a series of 3 meetings to gather traditional use information. We are looking for participants who are able to commit to attending all 3 meetings.

We have tentatively set the following dates and locations for the meetings:

- Meeting #1 – July 31 2012 – Nigigoonsiminikaaning First Nation
- Meeting #2 – August 16 2012 – Location to be determined
- Meeting #3 – September 12 2012 – Location to be determined

We look forward to working with your community to better understand traditional land use by your community. Bud Dickson will be following up by contacting Wabigoon Lake Ojibway Nation directly to arrange for Elder attendance at the meetings.

Regards,
<Original signed by>

Alexandra Drapack, MBA, P.Eng.
Director Sustainable Development

cc. Osisko: Robert Mailhot, Hélène Cartier, Martin Griffin, Bud Dickson, Cathryn Moffett
Golder: Steve Parker

155 University Av., Suite 1440, Toronto, Ont., Canada M5H 3B7
Telephone (416) 363-8653 – Telecopier (416) 363-7579
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APPENDIX 6.II

Métis Nation of Ontario – List of Concerns to the Canadian Environmental Assessment Agency (February 9, 2012)

the Métis Nation of Ontario

February 9, 2011

Amy Liu
Canadian Environmental Assessment Agency
55 St. Clair Avenue East Room 907
Toronto, ON M4T 1M2

Dear Ms. Lui:

RE: Hammond Reef Gold Mine (the "Project")

I writing in response to your letters dated December 23, 2011 to the Métis Nation of Ontario's (MNO) Northwest Métis Council, Sunset Country Métis Council, Kenora Métis Council and the Atikokan and Surrounding Are Métis Council (the "Councils"). I am also writing with respect to the Canadian Environmental Assessment Agency's recent announcement of Aboriginal Participation Funding for the Project.

I am writing on behalf of the Councils pursuant to the authorities in the MNO Rainy Lake/Rainy River/Lac Seul & Treaty #3 Consultation Protocol, which I attach for ease of reference. I write to express our community's concerns about aspects of your letter and the recent funding announcement. I also write to clearly set out our community's rights and claims and current concerns in relation to the Project.

1. Our Community's Rights and Interests

The Project lies within the traditional territory of a rights-bearing Métis community, consistent with *R. v. Powley*, [2003] 2 S.C.R 207 ("*Powley*"). A map of this traditional territory is attached to this letter. Our distinct Métis community has lived in, used and occupied this territory prior to effective European control in the region. For research conducted by the MNO, Ontario and Canada about the Métis in this region see: http://www.metisnation.org/registry/historicresources.aspx. As well, for legal findings related to effective European control in this region see: *Keewatin v. Minister of Natural Resources*, 2011 ONSC 4801.

Our community asserts and exercises aboriginal rights throughout its territory, including, among other things, hunting, fishing (food and commercial), trapping (food and commercial), gathering, sugaring, wood harvesting, use of sacred and communal sites (i.e., incidental cabins, family group assembly locations, etc.) and use of water. As well, our community asserts it has title within parts of its traditional territory, which is also an aboriginal right.

These rights are protected as aboriginal rights within the *Constitution Act, 1982*. These rights have not been extinguished by the Crown by way of treaty or other means. It is our opinion, these existing constitutionally-protected aboriginal rights, combined with the honour of the Crown, require

governments to enter into good faith negotiations with us with a view to recognizing, respecting and accommodating our rights, consistent with reconciliation. This reconciliation is to be ultimately achieved through arriving at mutually agreeable arrangements and just settlements (i.e., a modern day land claim agreement, a self-government agreement, other accommodation agreements, etc.). To date, the Crown refuses to engage in these types of negotiations with our Métis community, despite its actual knowledge of our aboriginal rights and claims.

In addition, some Métis within this territory have treaty rights, as the descendants of the beneficiaries of the Halfbreed[1] Adhesion to Treaty # 3 (the "Adhesion"). Treaty #3 was negotiated and executed between Canada and the Ojibway in 1873. This treaty includes the following protections with respect to harvesting rights and the taking up of lands in the Treaty #3 territory:

> 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.

In 1875, the Halfbreeds at Rainy Lake negotiated and signed an Adhesion to Treaty #3 with Canada. The Adhesion provides:

> That the said Half-breeds, keeping and observing on their part the terms and conditions of the said treaty shall receive compensation in the way of reserves of land, payments, annuities and presents, in manner similar to that set forth in the several respects for the Indians in the said treaty; it being understood, however, that any sum expended annually by Her Majesty in the purchase of ammunition and twine for nets for the use of the said Half-breeds shall not be taken out of the fifteen hundred dollars set apart by the treaty for the purchase annually of those articles for the Indians, but shall be in addition thereto, and shall be a pro rata amount in the proportion of the number of Half-breeds parties hereto to the number of Indians embraced in the treaty; and it being further understood that the said Half-breeds shall be entitled to all the benefits of the said treaty as from the date thereof, as regards payments and annuities, in the same manner as if they had been present and had become parties to the same at the time of the making thereof.

We emphasize that this Adhesion was negotiated by and for a Métis collective – as Métis – not Indians. As such, as confirmed by the Supreme Court of Canada in *Powley*,[2] the personal choices of Métis individuals or families to register as "Indians" historically or in contemporary times could not and cannot extinguish the treaty rights of the Métis collective. In this region, there have always been and remain beneficiaries of the Adhesion who have never been and are not registered as "Indians". The distinct Métis community has never "merged" into the Ojibway (i.e. Indian) community. Further, the

[1] Throughout this letter we use the terms "Halfbreed" and "Métis" interchangeably.
[2] *Powley*, at para. 35.

decisions or actions of registered Indians or Indian Bands in the past or in contemporary times could not have any effect on the treaty rights of the Métis collective, since Indians and Métis are two distinct aboriginal peoples with their own identity and rights.[3]

Further, as a part the Adhesion, the Métis were promised a land base – as Métis. These lands were subsequently taken from the Métis by the Crown orchestrating a vote of registered Indians – not Métis. The Métis community asserts that the land promised to them – as Métis – remains an outstanding treaty promise that must be fulfilled by the provision of land or compensation. Our community seeks negotiations to arrive at a just settlement with the Crown on this outstanding claim. To be clear, our community does not seek lands now occupied as reserve lands by Indians. We do however seek our own lands and/or compensation for the loss of Métis lands and the non-fulfillment of Crown promises to Métis pursuant to the Adhesion. As you know, Métis are currently excluded from the federal specific and comprehensive claims processes, where these issues might be able to be resolved through negotiations. Regardless of the Crown's unwillingness to recognize these claims and negotiate at this time, we will continue to raise this issue of fundamental importance to the Métis community.

Based on the above, Métis have constitutional rights (aboriginal or treaty) in this territory.[4] Some Métis, as represented by the MNO, have treaty rights. Some Métis, as represented by the MNO, have aboriginal rights. Regardless of the legal and constitutional basis for these rights, they give rise to the Crown's duty to consult and accommodate in relation to this Project. This consultation must be undertaken with the intention of substantially addressing our rights, concerns and interests. To date, such consultation and accommodation has not occurred with the Métis community because of a lack of assessment, understanding and respect for our rights by the Crown.

2. Concerns about the Project

As we have identified in previous correspondence and meetings with the Crown, our community is concerned about the potential impact of the Project on our community's hunting, fishing (food and commercial), trapping (food and commercial), gathering, sugaring, wood harvesting, use of sacred and communal sites (i.e., incidental cabins, family group assembly locations, etc.) and use of water. Further, we have raised concerns about the following issues:

- Destruction of Mitta Lake to access ore deposit directly below the lake;
- Relocation of water and fish from Mitta Lake to Marmion Reservoir, thereby disrupting the sensitive ecological balance in the Reservoir and adjacent watershed;
- Clear-cutting and grubbing of valuable Boreal forest;
- Potential disruption of migratory patterns;
- The reliability of slurry pipeline;
- Permanent impact to numerous waterbodies related to tailings management facility; and
- Disruption of harvesting access and patterns of species harvested in surrounding environs.

[3] *Cunninghan v. Alberta*, [2011] 2 S.C.R. 670.
[4] The MNO notes that Osisko's Terms or Reference of Consultation, Appendix A – Aboriginal Community Identification (January 2012) fails to appropriately identify the Métis community in the region and this community's rights.

the Métis Nation of Ontario

It must be stressed that these are just preliminary concerns that have been raised with the Crown and the proponent about the Project. Through meaningful consultation, we will be able to further understand, assess and articulate the impacts of the Project on our rights and interests. To date, this meaningful consultation has not yet been facilitated with us by either Osisko or the Crown. However, we understand that Osisko has now agreed to execute a Memorandum of Understanding with our community which will allow some of this important consultation-related work to begin. We are very anxious to see this work come begin as soon as possible, consistent with the Supreme Court of Canada's directions that potentially affected aboriginal communities should be engaged early in the planning and design of projects that have the potential to affect aboriginal and treaty rights.

3. CEAA Aboriginal Participant Funding

We are asking CEAA to re-consider our request for funding with respect to the Project. We understand that only $28,200.00 has been approved for our work. This amount is insufficient for our engagement with the Crown related to consultation and our participation in the regulatory process. We are requesting additional funding based on the following considerations:

- It is clear from your letter as well as Osisko's filed materials (i.e., Osisko's Terms or Reference of Consultation, Appendix A – Aboriginal Community Identification, January 2012) that the CEAA Funding Committee was not fully aware of our community's rights and claims, which are outlined in this letter.
- Our community is the aboriginal community in the region with a population of rights-holders that live closest to the proposed Project location (i.e., Atikokan). Presently, the MNO has 88 Métis citizens (not including children under 16 years) living in Atikokan Council Charter territory. As a result, the harvesting and traditional activities by these members of the Métis community will be particularly impacted due to their close proximity to the Project. This is in addition to approximately 1500 other Métis citizens who live in the region.
- Unlike other aboriginal communities that were allocated CEAA funding for this Project, MNO has not signed an Impact and Benefit Agreement (IBA). Therefore, consultation is outstanding with the MNO, while impacts have been addressed with other aboriginal groups via an IBA.

We are requesting that our funding request be re-assessed based on this additional information, and reasons be provided to us with respect to this request.

4. Other Concerns About Crown Consultation Approaches

We have made clear to CEAA on several occasions that the Métis in this region do not agree with a settlement/site-specific approach to consultation and accommodation. We are a regional rights-bearing Métis community, consistent with *Powley* and other Métis jurisprudence.[5] Our unique history and

[5] For example see: *R. v. Laviolette* 2005 S.K.P.C. 70; *R. v. Belhumeur* 2007 SKPC 114; *R. v. Goodon*, 2008 MBPC 58; *R. v. Hirsekorn*, 2011 ABQB 682.

the Métis Nation of Ontario

contemporary organization ground this regional approach. Moreover, the descendants of the Treaty #3 Halfbreed Adhesion (as the beneficiaries of the Adhesion) live throughout the region – not solely in one settlement. Simply put, our communities are not and have never been limited to defined "site-specific settlements" or "local communities".

Contrary to your letter and other letters from CEAA, our individual Councils are not the "rights-holders" for the purposes of consultation and accommodation. The rights are held by our regional, rights-bearing Métis communities, and these communities are represented collectively through the MNO and its Community Councils in the region. We have set out how consultation with our regional community can take place in an effective, efficient and meaningful way in the MNO Rainy Lake/Rainy River/Lac Seul & Treaty #3 Consultation Protocol, which has been provided to the Crown on several occasions. We ask that CEAA respect this approach or at least work with it, rather than work against it.

We become increasingly frustrated when the Crown continually attempts to undercut and circumvent the governance structures and consultation systems that have been set up for Métis by Métis. While a "divide and conquer" approach has served the Crown well in relation to dividing other Aboriginal collectivities in order to weaken their rights and effectiveness, we will continue to fight against similar approaches being imposed on us. If the Crown continues to ignore our interventions on this issue, we will continue to make this point, wherever we can.

We would note that courts have repeatedly affirmed that governments are to be sensitive to the perspective of Aboriginal peoples on their rights and interests. We ask that CEAA consider this perspective, rather than just proceeding how it wants to. Regardless of CEAA's disregard for our governance and consultation structures, we will continue to work respectfully with the Crown to ensure our community is meaningfully consulted and accommodated.

We look forward to hearing from you with respect to the information and requests in this letter. We are more than willing to meet with you to further elaborate on the points made in this letter.

Sincerely yours,

Theresa Stenlund
MNO Regional Councilor
Chair, MNO Rainy Lake/Rainy River/Lac Seul
& Treaty #3 Consultation Committee

Attachment (2)

the Métis Nation of Ontario

c.c. Gary Lipinski, President, Métis Nation of Ontario
MNO Rainy Lake/Rainy River/Lac Seul & Treaty #3 Consultation Committee
Doug Wilson, Chief Operating Officer, Métis Nation of Ontario
Melanie Paradis, MNO Director of Lands, Resources and Consultation
Brian Tucker, MNO Manager, Métis Traditional Knowledge and Land Use
Patrick Barnes, Ministry of Northern Development and Mines
Twila Smitsnuk, Ministry of Natural Resources
Regent Dickey, Major Projects Management Office
Daniel Johnson, Aboriginal Affairs and Northern Development Canada
Mark Bowler and Alexandra Drapeck, Osisko Hammond Reef Gold