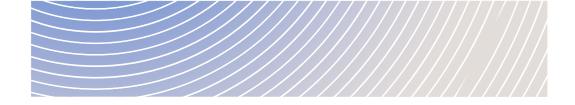
Indigenous **Engagement and Partnership Plan**



GREAT BEAR GOLD PROJECT

MAY 8, 2024

DRAFT VERSION

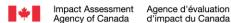




Table of Contents

1.	Introduction	1
2.	Description of the Proposed Project	2
3.	Objectives of Indigenous Engagement and Partnership	2
4.	Indigenous Communities	4
5.	Engagement and Consultation Tools, and Methods	5
6.	Engagement and Consultation Approach	6
7.	Participant Funding	13
8.	Federal Agencies' Roles and Responsibilities	13
9.	How to submit comments	14

1. Introduction

On March 22, 2024, the Impact Assessment Agency of Canada (the Agency) issued the Notice of Opinion on Whether an Impact Assessment is Required which asserted that an impact assessment is warranted for the Great Bear Gold Project ("the Project"), in alignment with the Government of Canada's Statement on the Interim Administration of the *Impact Assessment Act* pending legislative amendments.

The Indigenous Engagement and Partnership Plan (IEPP) outlines opportunities and methods for meaningful engagement and consultation with potentially affected Indigenous communities throughout the impact assessment process. Meaningful consultations are to be conducted in the spirit of reconciliation, towards a renewed relationship, and in accordance with the <u>Principles of respecting the Government of Canada's relationship with Indigenous Peoples¹</u>. The IEPP is intended to be flexible and does not preclude the Agency from making changes to the approaches described in this Plan in order to accommodate changes that may occur during the assessment process.

Throughout this IEPP, the terms "Indigenous community" or "Indigenous communities" refers to Indigenous Peoples connected by Nation, Band, geographical location, community roles and other shared values and identities. Within the context of the impact assessment process, the Agency encourages the active participation of a community's diversity such as the Chief and Council, community leaders and other formal administrative bodies, as well as other members of the community such as women, Elders, youth, and knowledge holders.

Throughout this IEPP, "engagement" refers to the spectrum of engagement defined in the Policy Context for Indigenous Participation in Impact Assessment², and "consultation" refers to the Government of Canada's duty to consult, and, where appropriate, accommodate, on the potential adverse impacts of the Project on the exercise of Aboriginal and/or Treaty rights of Indigenous Peoples of Canada.

The Agency developed a separate <u>Public Participation Plan</u> to describe how the Agency plans to engage with the public during the impact assessment process.

¹ https://www.justice.gc.ca/eng/csj-sjc/principles-principes.html

² https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/policy-indigenous-participation-ia.html

2. Description of the Proposed Project

Great Bear Gold Project

Kinross Gold Corporation (the proponent) is proposing the construction, operation, decommissioning and abandonment of a new open-pit and underground gold mine with an on-site metal mill, located 23 kilometres southeast of Red Lake, Ontario. As proposed, the Project would include three open-pits and produce up to 60,000 tonnes of ore per day, while the metal mill would process up to 15,000 tonnes of ore per day. The project would operate for about 20 years.

For more information on the impact assessment of the Project, or to view the information and comments received to date, visit the Canadian Impact Assessment Registry website (the Registry) at https://iaac-aeic.gc.ca/050/evaluations/proj/85832.

3. Objectives of Indigenous Engagement and Partnership

Impact Assessment Agency of Canada's objectives:

- Conduct meaningful Crown consultation on the potential positive and adverse effects of the Project and adverse impacts of the Project on the exercise of Aboriginal and/or Treaty rights of Indigenous Peoples of Canada recognized and affirmed in section 35 of the *Constitution Act*, 1982 (Aboriginal or Treaty rights);
- Meaningfully engage with Indigenous communities throughout the impact assessment process with opportunities to provide comments on key documents and the engagement process;
- Provide opportunities for collaboration and meaningful engagement with Indigenous communities
 regarding Indigenous Knowledge they may wish to apply when considering potential effects and
 impacts of the Project, and impacts on the exercise of Aboriginal or Treaty rights by referring to
 the <u>Indigenous Knowledge Policy Framework for Project Reviews and Regulatory Decisions</u> and
 guidance documents;
- Encourage Indigenous communities to share Indigenous Knowledge and expertise throughout the impact assessment process to facilitate its integration into the proponents' field studies and assessments and key documents such as the Impact Statement;
- Include community input and Indigenous Knowledge, if provided, in the assessment of potential
 effects and impacts of the Project and potential impacts on the exercise of Aboriginal or Treaty
 rights, and explain how the input and Indigenous Knowledge were considered or used in the
 assessment;
- Conduct meaningful consultation with Indigenous communities on measures to avoid, mitigate or minimize potential adverse impacts of the Project on Aboriginal or Treaty rights; and

Ensure engagement is consistent with the Government of Canada's commitment to implement the
United Nations Declaration on the Rights of Indigenous Peoples (the Declaration) as a
comprehensive international human rights instrument and Canada's roadmap for reconciliation.
The Declaration also emphasizes the need to work together in partnership and respect, as
articulated through the principle of free, prior and informed consent. This principle reflects working
together in good faith on decisions that impact Indigenous Peoples, with the intention to achieve
consensus.

Objectives identified by Indigenous communities during the Planning Phase:

During the planning phase, Indigenous communities identified values and objectives for Indigenous consultation for the Project. The Agency summarizes these as:

- Consultation should be ongoing throughout the impact assessment process and must meaningfully respond to all concerns raised by Indigenous communities. Additional objectives that would add to the meaningfulness of consultation include:
 - Respecting the diverse and preferred approaches of Indigenous community representatives to consult their members or citizens;
 - Provision of sufficient time for Indigenous communities to engage with their members or citizens regarding the Project;
 - Providing support to Indigenous communities regarding their engagement with community members or citizens, to facilitate the community's understanding of the impact assessment process and the Project;
 - Working towards consultation that is early, flexible and prepares Indigenous communities to engage with their members or citizens regarding the Project;
 - Accessing adequate financial support to enable meaningful participation in the impact assessment process;
 - Working with the Agency to eliminate barriers and invite diverse subgroups within Indigenous communities to participate in the impact assessment process;
 - Conducting, where possible, in-person meetings and open houses within communities where the Agency attends and responds to questions from community members about the impact assessment process;
- Respect the consultation protocols already established by Indigenous communities;
- Consideration of Indigenous Knowledge needs to be on equitable footing with western scientific information in decision-making processes related to the Project;
- Respect for, and adherence to, established processes and protocols developed by Indigenous communities that govern the sharing and use of Indigenous Knowledge;
- Provide opportunities for Indigenous communities to verify procedural records of consultation and engagement throughout the impact assessment process;
- Consult during the development of scoping elements of the impact assessment to ensure Valued Components identified by Indigenous communities into the baseline studies are incorporated into all subsequent phases of the impact assessment;
- Respecting the capacity of Indigenous communities to provide information, and making efforts to avoid duplication of engagement of community members;

 Provide opportunities for the Indigenous-led evaluation of the impacts of the Project on their community.

4. Indigenous Communities

The Agency identified the following list of communities that may be potentially impacted by the Project. This includes communities where the Project may adversely impact the exercise of Aboriginal or Treaty rights of Indigenous Peoples of Canada, as recognized and affirmed in section 35 of the *Constitution Act, 1982*. This list is based on information available in the Government of Canada's Aboriginal and Treaty Rights Information System (ATRIS), as well as information shared by Indigenous communities throughout the Planning Phase.

The impact assessment process is not a rights-determining process. The Agency acknowledges, however, that the content and extent of the duty to consult, and where appropriate, accommodate, varies according to the nature of the rights (whether established or potential) and the severity of the Project's potential impact on these rights. The Agency's assessment of the extent of the duty to consult and, where appropriate, accommodate, is at its preliminary phase. The Agency intends to complete this exercise in collaboration with Indigenous communities during the Impact Statement Phase.

The Government of Canada is committed to renewing its relationship with Indigenous Peoples, which is based on the recognition of rights, respect, cooperation, and partnership. Through the IEPP, the Agency supports this commitment. In addition to the IEPP, the Agency plans to engage Indigenous organizations and tribal councils that have indicated an interest in the impact assessment process, using the engagement tools and methods outlined in the separate Public Participation Plan.

4.1 List of Indigenous communities

The Crown will consult with Indigenous communities listed³ below to understand the concerns and potential impacts of the Project on their exercise of potential or established Aboriginal or Treaty rights and, where appropriate, make accommodations. These consultations will comprise an integral part of the work that will support the assessment of the Project.

Asubpeeschoseewagong Netum Anishinabek (Grassy Narrows First Nation)

³ The list of Indigenous communities identified here may change as knowledge of the effects and potential impacts of the Project is gained, or if the Project or its components are modified during the impact assessment process. The Agency reserves the right to modify this list based on additional information gathered during the impact assessment process.

Lac Seul First Nation

Métis Nation of Ontario (Region 1)

Wabauskang First Nation

Where the Agency becomes aware of potential adverse impacts of the Project on the potential or asserted Aboriginal or Treaty rights or an Indigenous community that is not listed above in section 4.1 of this IEPP, that community must also be consulted, and the Agency will modify this list accordingly.

5. Engagement and Consultation Tools, and Methods

The following is a list of tools and methods identified by the Agency and Indigenous communities during the Planning Phase to ensure meaningful consultation in the assessment process:

- Providing funding under the <u>Participant Funding Program</u> to support Indigenous communities in participating in the impact assessment process;
- Providing clear and timely information on available funding, impact assessment process timelines, and the workload expected of Indigenous communities to ensure meaningful participation and consultation;
- Communicating with Indigenous communities in an ongoing, open, and transparent manner;
- Considering cultural needs including seasonal issues (e.g., harvesting and hunting periods) and cultural protocols (e.g., offerings, such as tobacco) and spirituality (opening prayers);
- Following community consultation policies or protocols in consultation activities, to the extent possible;
- Establishing clear processes for identifying and designing accommodation measures, as applicable;
- Holding technical meetings with Indigenous communities and the proponent and/or expert
 authorities to support Indigenous communities' technical review of key documents and
 participation throughout the impact assessment process, while considering the timelines and
 capacity of Indigenous communities;
- Offering to collaborate on the assessment of impacts on the exercise of Aboriginal or Treaty rights;
- Providing reasonable time for in-community visits, where appropriate;
- Establishing requirements for diverse participation (e.g., accessible meeting locations, timing of meetings, transportation);

- Providing <u>training</u>⁴ on the impact assessment process, and how to effectively participate in the process; and
- Providing summaries of key documents, fact sheets, infographics, PowerPoint tools, booklets, and audio-visual materials in plain-language and in accessible formats.

In addition, the Agency will explore opportunities for:

- Translating key high-level summary documents into Indigenous languages, where requested and reasonably possible;
- Accommodating communication and consultation processes according to the communities' schedule, where possible; and
- Hosting workshops to discuss key documents through the impact assessment process, where appropriate.

6. Engagement and Consultation Approach

The table below (Table 1) provides a description of the main phases in the impact assessment process and an explanation as to how the Agency, on behalf of the federal Crown, proposes to engage and consult with Indigenous communities during each phase. Table 1 describes objectives of each phase and engagement methods, including Crown-Indigenous collaboration opportunities throughout the impact assessment process.

During the Planning Phase, and prior to the notice of opinion that an impact assessment was warranted, the Agency consulted with Indigenous communities on the proponent's Initial Project Description and prepared the Summary of Issues. Subsequently, the Agency provided the Summary of Issues to the proponent for the preparation of the Detailed Project Description, including the Response to the Summary of Issues. The Agency included the key issues identified by Indigenous communities in the Summary of Issues, and instructed the proponent to refer back to the Indigenous communities' comments to ensure they use the appropriate context and intent of the comments in their response.

Specific Indigenous communities, listed in section 4.1 above, who wish to work with the Agency to identify consultation activities beyond those included within this IEPP are welcome to express their interest in an Indigenous community-specific consultation work plan during the Impact Statement Phase. The Agency will work with Indigenous communities to develop community-specific consultation work plans, as needed.

⁴ https://iaac-aeic.gc.ca/014/index-eng.aspx



Table 1 – Table of Indigenous engagement approaches and activities

Expected Agency activities	Expected Indigenous communities' participation/activities	Engagement and consultation method
	Phase 1: Planning	
Objectives		
 Increase Indigenous communities' awarer Obtain comments and feedback on docur inform the development of the Indigenous 	roject to support participation during the Planning Phase ness of the impact assessment process and meaningful ments related to the Planning Phase such as the Sumr Engagement and Partnership Plan (IEPP) and Tailored ent process and on opportunities for participation	nary of the Initial Project Description and t
 From August 17 to September 18, 2023, Agency hosted virtual and in-person meetings with Indigenous communities to support their understanding of the impact assessment process and sought input on key issues and concerns From August 17 to September 18, 2023, Agency offered grant funding during the first comment period of the Planning Phase to support participation Agency responded to any inquiries, sent letters / emails informing Indigenous communities of upcoming Project, and posted key documents on the Registry website Agency provided online training on the impact assessment process From May 8 to June 7, 2024, the Agency is making grant funding available for the second comment period of the Planning Phase 	 From August 17 to September 18, 2023, Indigenous communities participated in the first comment period on the Summary of the Initial Project Description Indigenous communities submitted comments on the Summary of the Initial Project Description Indigenous communities applied for available grant funding during the first comment period of the Planning Phase to support participation Indigenous communities participated in meetings to discuss and inform key planning documents From May 8 to June 7, 2024, the Agency invites comments on the draft Tailored Impact Statement Guidelines and the draft IEPP for the second comment period of the Planning Phase, including the identification of any existing regional studies or plans that could inform the assessment of the Project 	 Correspondence, emails and calls Online comments Meetings, information sessions and/oworkshops Posting of relevant documents and Notices on the Registry website Notify via email of relevant document and Notices on the Registry website to Indigenous communities on the preliminary Crown list developed for initial outreach Follow-up to confirm receipt of materials

Expected Agency activities	Expected Indigenous communities' participation/activities	Engagement and consultation method
From May 8 to June 7, 2024, the Agency is hosting virtual and in-person meetings with Indigenous communities to support their understanding of the impact assessment process and to seek their engagement in development of the draft Guidelines and the draft IEPP		

Phase 2: Impact Statement

Objectives:

- Increase Indigenous communities' awareness and understanding of the impact assessment process
- > Provide Indigenous communities funding to support participation for the remainder of the impact assessment process
- > Encourage Indigenous communities to share Indigenous Knowledge and information with the proponent to inform the development of the proponent's Impact Statement
- > Obtain comments / views on the proponent's Summary of the Impact Statement
- > Notify communities of key steps in the impact assessment process, such as the receipt of the Impact Statement and the comment period on the Summary of the Impact Statement
- > Identify potential impacts on the exercise of Aboriginal or Treaty rights and avoidance, mitigation or accommodation measures in collaboration with Indigenous communities
- Agency shares how feedback has been reflected or not in the Guidelines and IEPP with rationale
- Agency makes participant funding available for the remainder of the impact assessment process
- Agency administers participant funding throughout the impact assessment process
- Agency works with Indigenous communities to implement the IEPP, to develop and implement Indigenous community-specific consultation plans and has dialogue with interested Indigenous communities to finalize approach to the assessment of
- Indigenous communities apply for funding to participate in the remaining phases of the impact assessment process
- Indigenous communities present comments on the partnership possibilities and the ways they wish to participate in the impact assessment process to inform the drafting, and implementation of, community-specific consultation plans
- Indigenous communities work with the Agency, if interested, in the approach to conduct a collaborative assessment of potential project impacts on Indigenous communities and on the exercise of their Aboriginal and/or Treaty rights

- Emails and/or calls
- Online comments
- Meetings, information sessions and/or workshops
- Posting of relevant documents and Notices on the Registry website
- Notify via email of relevant documents and Notices on the Registry website to Indigenous communities
- Follow-up to confirm receipt of materials

Expected Agency activities	Expected Indigenous communities' participation/activities	Engagement and consultation method
 impacts on their exercise of Aboriginal or Treaty rights Agency provides Indigenous communities with guidance on how to protect confidential information Agency posts the proponent's Summary of the Impact Statement on the Registry website and sends notification emails to Indigenous communities Agency seeks the views of Indigenous communities on the Project's potential impacts on the exercise of their rights and discusses with Indigenous communities whether the proponent has adequately identified mitigation and/or accommodation measures, as appropriate, in its Summary of the Impact Statement Agency holds a comment period on the Summary of the Impact Statement. The comments will assist in determining whether the Agency is satisfied with the information and studies provided by the proponent as outlined in the Tailored Impact Statement Guidelines Agency may issue requests to the proponent for information or studies that the Agency considered necessary for it to conduct impact assessment 	 Indigenous communities share Indigenous Knowledge with the proponent, where applicable, for integration into the proponent's Impact Statement Indigenous communities share their points of view on the Project's potential impacts on the exercise of their Aboriginal or Treaty rights with the proponent to inform the Impact Statement and with the Agency to support the Agency's review of the Impact Statement Indigenous communities collaborate with the proponent to collect relevant information about the Project's potential positive and adverse effects, as well as discuss mitigation and monitoring measures to address possible adverse effects with the proponent to inform the proponent's Impact Statement Indigenous communities express to the proponent any interest in funding for studies conducted by potentially affected Indigenous communities Indigenous communities submit opinions or comments to the Agency on the proponent's Summary of the Impact Statement 	

Expected Agency activities	Expected Indigenous communities' participation/activities	Engagement and consultation method
Phase 3 – Impact Assessment		
Objectives		

- > Increase Indigenous communities' awareness and understanding of the impact assessment process
- > Develop and consult on Agency's preliminary analysis and conclusions related to potential project impacts on Indigenous communities
- > Obtain comments / views on the Agency's draft Impact Assessment Report and draft potential conditions
- Where there is interest, collaborate with Indigenous communities on the assessment of potential project impacts on the exercise of their Aboriginal or Treaty rights
- Agency administers participant funding throughout the impact assessment process
- Agency works collaboratively with interested Indigenous communities on completing the assessment of impacts on the exercise of Aboriginal or Treaty rights
- Agency works with Indigenous communities to validate the Agency's preliminary analysis and conclusions related to potential project impacts on Indigenous communities and on the exercise of their Aboriginal or Treaty rights
- Agency posts draft Impact Assessment Report and draft potential conditions on the Registry website and sends notification emails to Indigenous communities
- Agency holds a comment period on the draft Impact Assessment Report and draft potential conditions. The comments will assist in finalizing the Agency's recommendation to the Minister of Environment and Climate Change

- Indigenous communities collaborate on or validate the Agency's preliminary analysis and conclusions related to potential project impacts on Indigenous communities and on the exercise of their Aboriginal or Treaty rights
- Indigenous communities present their points of view to the Agency on the adequacy of the consultation throughout the impact assessment process
- Indigenous communities submit opinions or comments on the Agency's draft Impact Assessment Report and draft potential conditions

- Emails and/or calls
- Online comments
- Meetings, information sessions and/or workshops
- Posting of relevant documents and Notices on the Registry website
- Notify via email of relevant documents and Notices on the Registry website to Indigenous communities
- Follow-up to confirm receipt of materials

Expected Agency activities	Expected Indigenous communities' participation/activities	Engagement and consultation method
Agency posts the final Impact Assessment Report on the day the report is submitted to the Minister of Environment and Climate Change		
Phase 4 – Decision		
Objectives		
 Inform the proponent, Indigenous communities and the public about the Decision Statement issued by the Minister Increase awareness of the Decision Statement 		
 The Agency posts on the Registry website the Minister's Decision Statement The Agency has ongoing dialogue with Indigenous communities, briefs them on the Decision Statement and provides them with opportunities to learn about next steps post-impact assessment decision 	Indigenous communities learn about Minister's decision and about next steps post-impact assessment decision	 Posting of relevant documents and Notices on the Registry website Notifications sent by email Follow-up to confirm receipt of email

Expected Agency activities	Expected Indigenous communities' participation/activities	Engagement and consultation method	
	Phase 5 – Post-Decision		
Objectives: if the Project is approved Post-decision follow-up, monitoring activities and results from follow-up program on the Registry website Obtain comments on potential amendments to the Decision Statement, should an amendment be required			
Agency consults on potential amendments to the Decision Statement, should an amendment be required Agency conducts compliance and enforcement activities consistent with the Compliance Promotion and Enforcement Policy ⁵ and posts inspection summaries and enforcement actions on the Registry website	 Submit comments to the Agency on potential amendments to the Decision Statement, should an amendment be required Participate in the proponent's follow-up program, if applicable, as per the requirements set out in the Decision Statement If one has reason to believe that there has been a contravention of the IAA, please report it to the Agency at: enforcement-applicationdelaloi@iaac-aeic.gc.ca. All other inquiries about post-decision activities should be directed to postdecision@iaac-aeic.gc.ca 	Emails Online comments Posting of relevant documents and Notices on the Registry website	

⁵ https://www.canada.ca/en/impact-assessment-agency/corporate/compliance-promotion-enforcement/compliance-promotion-enforcement-policy-designated-projects-subject-impact-assessment-agency/corporate/compliance-promotion-enforcement-policy-designated-projects-subject-impact-assessment-act.html

7. Participant Funding

During the Planning Phase, Indigenous communities received grant funding to support their comments on the Initial Project Description. Grant funding was also available to support the review and comment on the draft Guidelines and the draft IEPP.

Funding is also available to support Indigenous communities to participate throughout the remainder of the impact assessment process. The opportunity to submit applications for funding will be made available to Indigenous communities during the Impact Statement Phase. These participant-funding opportunities will support Indigenous communities in activities, such as, commenting on the proponent's Impact Statement and commenting on the Agency's draft Impact Assessment Report and potential conditions.

For information about the activities that are eligible for funding or how to apply for funding, please see the <u>Participant Funding Program National Program Guidelines</u>.

8. Federal Agencies' Roles and Responsibilities

The Permitting Plan issued at the end of the Planning Phase describes the permits and authorizations that may be required for the Project to proceed.

Federal authorities identified in the Permitting Plan⁶ as well as those with additional expert advice⁷ will engage as needed with the Agency, proponent, Indigenous communities and other parties to clarify information requirements related to its specialist or expert information and knowledge. Throughout the impact assessment process, federal authorities may also review and analyze the proponent's Impact Statement; support and participate in the Agency's Crown consultation activities; and support the Agency and Indigenous communities in understanding, assessing and addressing impacts on the exercise of Aboriginal or Treaty rights.

The Agency, on behalf of the Government of Canada, will lead Crown consultations for the impact assessment and will lead the federal review team comprised of the aforementioned federal authorities.

⁶ Environment and Climate Change Canada, Fisheries and Oceans Canada, and Transport Canada

⁷ Crown-Indigenous Relations and Northern Affairs Canada, Employment and Social Development Canada, Health Canada, Indigenous Services Canada, Natural Resources Canada, Women and Gender Equality Canada

9. How to submit comments

Comments can be submitted at any time during the impact assessment process by using the "Submit a comment" feature on the Project's page on the Registry website (Reference Number 85832). Attachments can also be uploaded using this function.

If you have any difficulties with the submission process, please contact the Agency, using the contact information below. Comments may also be submitted through other means, including by email to GreatBear@iaac-aeic.gc.ca.

Comments and other documents received by the Agency will form part of the Project File and will be posted on the Registry website. The <u>Agency's Submission Policy</u> determines what information can be shared publicly and what information should remain private. For more information on how we protect your privacy, please refer to the <u>Agency's Private Notice</u>. If you do not want your comments to be posted on the Registry, please contact the Agency prior to submitting your comment.

The Agency will protect Indigenous Knowledge shared in confidence, except if written consent is provided, or if the information is publicly available. In addition, Indigenous Knowledge shared in confidence could be shared with certain parties if disclosure is necessary for procedural fairness and natural justice or for use in legal proceedings. This ensures that interested persons have a fair opportunity to participate in processes that would likely affect their interests, and that they have access to all necessary information and evidence relied on by the decision-maker.

Should you wish to provide any comments or documents that contain confidential or sensitive information that should be protected from release to the public, please contact the Great Bear Gold Project Team (contact information below) **before** submitting this information. This will ensure that your submission is handled appropriately. Please note, the Agency will consult with you prior to disclosing Indigenous Knowledge shared in confidence under an exception.

If you have any questions or need information, please contact:

Great Bear Gold Project Impact Assessment Agency of Canada, Ontario Region 55 York Street, Unit 600 Toronto, ON M5J 1R7

Email: GreatBear@iaac-aeic.gc.ca