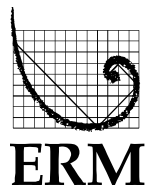


**BRUCEJACK GOLD MINE PROJECT**  
Application for an Environmental Assessment Certificate /  
Environmental Impact Statement

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**Appendix 25-C**  
Métis Interests Desktop Study



Pretium Resources Inc.

# BRUCEJACK GOLD MINE PROJECT Métis Interests Desktop Study



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May 2014

# BRUCEJACK GOLD MINE PROJECT MÉTIS INTERESTS DESKTOP STUDY

May 2014

Project #0194151-0020-0098

Citation:

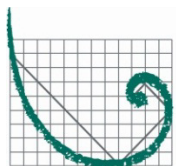
ERM Rescan. 2014. *Brucejack Gold Mine Project: Métis Interests Desktop Study*. Prepared for Pretium Resources Inc.  
by ERM Rescan: Vancouver, British Columbia.

Prepared for:



Pretium Resources Inc.

Prepared by:



**ERM**

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# Acknowledgements

## Acknowledgements

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This report was prepared by Dazawray Landrie-Parker (B.A.) and Maurice DePaoli (B.A., CAHP) of ERM Rescan. Senior review was completed by Dr. Kent Gustavson and Andrew Robinson (M.Sc.). Greg Norton (M.Sc.) was the project manager and Nicole Bishop (B.Sc.) the project coordinator. Interpretations, analyses, and conclusions contained in this report remain those of ERM Rescan.

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# BRUCEJACK GOLD MINE PROJECT

## MÉTIS INTERESTS DESKTOP STUDY

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# Glossary and Abbreviations

## Glossary and Abbreviations

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Terminology used in this document is defined where it is first used. The following list will assist readers who may choose to review only portions of the document.

<b>Application/EIS</b>	Application for an Environmental Assessment Certificate/Environmental Impact Statement
<b>BC</b>	Province of British Columbia
<b>BCMANR</b>	British Columbia Métis Assembly of Natural Resources
<b>BCMMPR</b>	British Columbia Métis Mapping Research Project
<b>CEA Agency</b>	Canadian Environmental Assessment Agency
<b>LUSA</b>	Land Use Study Area
<b>masl</b>	Metres above sea level
<b>MNBC</b>	Métis Nation British Columbia
<b>MNC</b>	Métis National Council
<b>MNPS</b>	Métis Nation Provincial Survey
<b>MPCBC</b>	Métis Provincial Council of British Columbia
<b>Pretivm</b>	Pretium Resources Inc.
<b>RDBN</b>	Regional District of Bulkley-Nechako
<b>RDKS</b>	Regional District of Kitimat-Stikine
<b>RSA</b>	Regional Study Area
<b>SESA</b>	Socio-economic Study Area
<b>the Accord</b>	The Métis Nation Relationship Accord (2006)
<b>the Project</b>	The Brucejack Gold Mine Project

# 1. Introduction

# 1. Introduction

---

This report characterises Métis rights and interests as it relates to the proposed Brucejack Gold Mine Project (the Project). The purpose of the study is to gain a clear understanding of Métis interests, activities and land uses within in the vicinity of the Project, in order to conduct a sound assessment of potential effects to the exercise of Métis Aboriginal rights in the forthcoming Application for an Environmental Assessment Certificate/Environmental Impact Statement (Application/EIS) for the Project. This desktop study was conducted within a defined scope and relied on available secondary information. The analysis and conclusions presented in this report are necessarily dependent on the information made available regarding Métis rights and interests in relation to the Project.

## 1.1 PROJECT PROPONENT

Pretium Resources Inc. (Pretium) is the proponent for the Project, a proposed underground gold and silver mine in northwest British Columbia (BC).

## 1.2 PROJECT LOCATION AND DESCRIPTION

The proposed Project is located on provincial Crown land at approximately 56°28'20" N latitude and 130°11'31" W longitude. The Project falls within the Regional District of Kitimat-Stikine (RDKS), approximately 950 km northwest of Vancouver, 65 km north-northwest of Stewart, and approximately 40 km southeast from the BC/Alaska border (Figure 1.2-1). The area is within or in proximity to the asserted or established traditional territories of a number of Aboriginal groups including the Nisga'a Nation, Skii km Lax Ha, and Tahltan Nation.

Pretium proposes to develop the Project as a 2,700 tonne per day underground gold and silver mine. The mine site area will be located near Brucejack Lake. Vehicle access to the mine site will be via an existing exploration access road from Highway 37 that will require upgrades to facilitate traffic during mine operations. A transmission line will connect the mine site to the provincial power grid near Stewart or along Highway 37; two options are currently under consideration.

The Project is located within the boundary range of the Coast Mountain Physiographic Belt, along the western margin of the Intermontane Tectonic Belt. The local terrain ranges from generally steep in the western portion of the Project area in the high alpine with substantial glacier cover to relatively subdued topography in the eastern portion of the Project area towards the Bell-Irving River. The Brucejack mine site will be located above the tree line in a mountainous area at an elevation of approximately 1,400 metres above sea level (masl); surrounding peaks measure 2,200 m in elevation. The access and transmission corridors will span a range of elevations and ecosystems reaching a minimum elevation near the Bell Irving River of 500 masl. Sparse fir, spruce, and alder grow along the valley bottoms, with only scrub alpine spruce, juniper, alpine grass, moss, and heather covering the steep valley walls.

The general area of the Brucejack Property has been the target of mineral exploration since the 1960s. In the 1980s Newhawk Gold Mines Ltd. conducted advanced exploration activities at the current site of the proposed Brucejack mine site that included 5 km of underground development, construction of an access road along the Bowser River and Knipple Glacier, and resulted in the deposition of 60,000 m<sup>3</sup> of waste rock within Brucejack Lake.

Figure 1.2-1  
Brucejack Gold Mine Project Location



Environmental baseline data was collected from Brucejack Lake and the surrounding vicinity in the 1980s to support a Stage I Impact Assessment for the Sulphurets Project proposed by Newhawk Gold Mines Ltd. Silver Standard Resources Inc. commenced recent environmental baseline studies specific to the currently proposed Project in 2009, which have been continued by Pretium following its acquisition of the Project in 2010. The scope and scale of the recent environmental baseline programs have varied over the period from 2009 to the present as the development plan for the Project has evolved.

## 2. Regulatory and Policy Framework

## 2. Regulatory and Policy Framework

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The Métis in Canada have been recognized and affirmed as one of the Aboriginal peoples of Canada under section 35 of the *Constitution Act* (1982).

In *R. v. Powley* (2003), the Supreme Court of Canada confirmed that Métis are a rights-bearing Aboriginal people under section 35 of the *Constitution Act* (1982). The components of a Métis definition for the purposes of claiming Aboriginal rights include the self-identification as a member of a Métis community; the ancestral connection to the historic Métis community whose practices ground the right in question; and the acceptance by the modern community with continuity to the historic Métis community (SCC 2003). Rather than “the pre-contact test” for the emergence of rights-bearing communities demanded of Aboriginal peoples in the *Van der Peet* (1996) decision, which specifically excluded Métis, *Powley* acknowledges that “Métis cultures by definition postdate European contact” (para. 16). The *Powley* decision looks to “the post-contact ethnogenesis of the Métis” (para. 36) and emphasizes that “the focus should be on the period after a particular Métis community arose and before it came under the effective control of European laws and customs” (para. 37). The year upon which “effective control of European laws and customs” is established, according to Teillet (2006), will differ across the country.

The Province has stated in its consultation guidelines that although they wish to work towards improving the quality of life of Métis in BC, it does not believe that there is a “Métis community within its borders capable of successfully asserting site-specific section 35 rights”<sup>1</sup> (Government of BC 2010). Therefore, the province does not acknowledge a legal duty to consult the Métis. However, the Métis Nation British Columbia (MNBC) is recognized by the federal government and the Canadian Environmental Assessment Agency (CEA Agency). Therefore, any project that triggers a federal Environmental Assessment requires consultation with Métis based on strength of claim.

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<sup>1</sup> The *R. v. Willison* case, however, may or may not change this finding. While the original ruling was in favour of the Métis, it has since been overturned and is heading to the Supreme Court of British Columbia (Barman and Evans 2009)



### 3. Study Scope and Method

## 3. Study Scope and Method

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This report has been prepared to assist the CEA Agency with the identification of Aboriginal rights and interests that the Métis may have in the area of the proposed Project. This report was compiled using a desk-based research method. The study drew on existing and available information, statistics, and other data from provincial, regional, and local organizations and government agencies, pertaining to the Aboriginal communities and interests in the Project area. Publically available documents produced for Environmental Assessments for other projects in northwestern British Columbia were also reviewed. Based on the results of the review, an analysis, synthesis and discussion of the available socio-economic, ethnographic and land use information was prepared.

### 3.1 STUDY AREAS

Both a Socio-economic Study Area (SESA) and a Land Use Study Area (LUSA) have been defined for this study. The SESA is used in identifying and describing Métis communities and organizations. The LUSA is used to identify and describe any potential Métis land use rights and interests in relation to the Project.

#### 3.1.1 Socio-economic Study Area

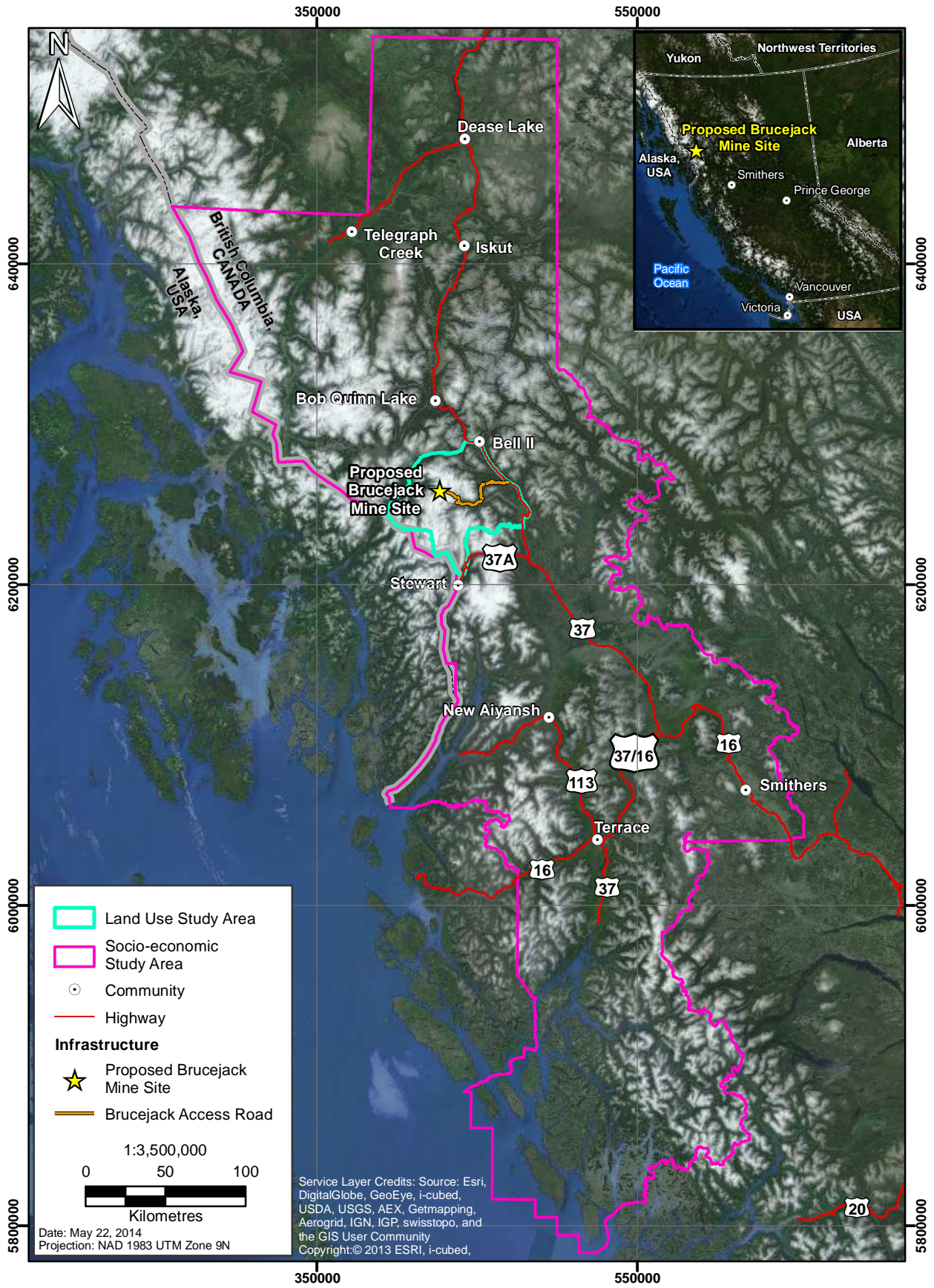
The SESA is defined in terms of two administrative regions: the Regional District of Kitimat Stikine (RDKS) and Electoral Area 'A' of the Regional District of Bulkley Nechako (RDBN; Figure 2.1-1). The SESA is consistent with the Social and Economic Regional Study Area (RSA) selected for the socio-economic baseline for the Project (Rescan 2013c)

A regional analysis is included because of the SESA's dependency on natural resources for economic opportunities and employment. The Project is anticipated to rely on the region for human resources, supplies, services, and other requirements.

#### 3.1.2 Land Use Study Area

The LUSA (Figure 2.1-1) is approximately 374,400 ha in size and follows the same boundary of the RSA used in the Wildlife and Terrestrial Ecosystem baseline reports for the Project (Rescan 2013a, 2013b). Human land uses and wildlife activities are influenced by terrain. Consequently, naturally occurring barriers (e.g., major mountain ranges and watersheds) define the subsets of the different types of human land use and movement (e.g., hunting, trapping, guide outfitting, etc.). The LUSA considers the area that provides habitat for wildlife species that may come into contact with proposed Project infrastructure during the course of a season or life of the Project. The LUSA boundary considers other ecological factors, including distinctive ecosystems, the species with the largest habitat range, and natural landform barriers (such as mountain ranges) beyond which effects diminish considerably.

**Figure 2.1-1**  
**Brucejack Project Métis Interests**  
**Desktop Study: Study Areas**



## 4. The Métis

## 4. The Métis

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The Métis National Council (MNC) adopted the following definition of “Métis” in 2002:

*“Métis” means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and who is accepted by the Métis Nation (MNC n.d.).*

The Métis are descendants from the union of European (predominantly French and Scottish) men and First Nation women during the 17th and 18th century fur trade. The result was a genesis of a new Aboriginal people with their own cultural identity, settlements, language, and traditions (Metis National Council n.d.).

The Métis emerged as a distinct people or nation in the historic Northwest during the course of the 18th and 19th centuries. These communities emerged along some parts of the freighting waterways and Great Lakes of Ontario, throughout the Northwest, and as far north as the Mackenzie River. This area of the Northwest is known as the “Historic Métis Nation Homeland.” The homeland includes the present-day three Prairie Provinces, and extends into Ontario, BC and the Northwest Territories. The Métis people of this region, although deeply rooted in their home communities, were connected through a highly mobile fur trade network, seasonal rounds, extensive kinship connections and a collective identity (i.e., common culture, language, way of life, etc.; MNBC n.d.-c). This historic Métis Nation had recognized Aboriginal title, which the Government of Canada attempted to extinguish through the issuance of “scrip” and land grants in the late 19th and 20th centuries (Métis National Council n.d.).

### 4.1 THE MÉTIS IN BRITISH COLUMBIA

Similar to Métis across North America, the presence of Métis in BC can be linked to the fur trade. In the 1790s, Métis were present in the Peace River drainage and eastern slopes of the Rocky Mountains (MNBC n.d.-c). In addition, numerous Métis fur trade employees and their families could be found throughout the Columbia (present day southern BC and Washington State) and Athabasca (present day northern BC, Alberta, and southern NWT) Fur Trading Departments or Districts (Barman and Evans 2009).

#### 4.1.1 Population and Demographics

There are two Métis Chartered Communities within the SESA: the Northwest Métis Association located in Terrace, and the Tri River Métis Association located in Smithers. The Northwest Métis Association has approximately 164 Members and the Tri River Métis Association has approximately 150 members (MNBC n.d.-b).

By comparison, based on 2006 Census data there are approximately 1,130 self-identified Métis in the SESA, 935 Métis residing in the in RDKS and 195 in Electoral Area A of the RDBN (Statistics Canada 2007). The large variation in population numbers between the MNBC statistics and the 2006 Census can be attributed to various reasons: a lack of chartered communities in the area; voluntary members to existing chartered communities; differences for self-identification of Métis; and different definitions of Métis.

The Métis population in BC is considerably younger than the non-Métis population. In 2006, around 45% of the Métis population was under 25 years of age, compared to around 30% of the non-Aboriginal

population. Only 13% of the Métis population is over 55 years of age, compared to approximately 27% of the non-Aboriginal population (BC Provincial Health Officer 2009).

### 4.1.2 Governance

MNBC is the governing body in BC recognized by the MNC. MNBC was created in 1996 and formally incorporated as the Métis Provincial Council of British Columbia (MPCBC). In 2003, the MNBC Constitution was ratified, thereby establishing a new Métis Nation governance structure (MNBC 2012-2014). The relevant MNBC regional government council for the SESA is that of Region 6 (Northwest BC). MNBC is governed by the Métis Nation Governing Assembly. It represents 37 Métis Chartered Communities in BC and is “mandated to develop and enhance opportunities for Métis communities by implementing culturally relevant social and economic programs and services” (MNBC n.d.-a). To qualify as a Métis Chartered Community, the community must have at least 25 Métis citizens who are over 18 years of age.

In 2006, the MNBC and the Province of BC signed the Métis Nation Relationship Accord (the Accord; MNBC and Province of BC 2006). The Accord formalized the relationship between the Province and the Métis people of British Columbia, identifying mutual goals to close the gap in quality of life between Métis people and other British Columbians (BC MARR 2006). The Accord commits the provincial government to support MNBC’s health care, housing, education, and employment initiatives, which are intended to improve the life circumstances of Métis people. However, both the federal and provincial governments contribute to MNBC’s finances (Barman and Evans 2009).

The Accord identified the following objectives (BC MARR 2006):

- Strengthen existing relationships based on mutual respect, responsibility and sharing;
- Improve engagement, coordination, information sharing and collaboration; and
- Follow through on intentions and commitments of the First Ministers' Meeting on Aboriginal issues as they pertain to Métis people and their aspirations to close the gap in the quality of life between Métis people and other British Columbians.

#### 4.1.2.1 British Columbia Métis Assembly of Natural Resources

The British Columbia Métis Assembly of Natural Resources (BCMANR) is a ministry of the MNBC, headed by the MNBC Minister of Natural Resources, who administers the *Natural Resources Act* (Revised 2010). The organizational structure of the BCMANR is consistent with that of the traditional “Buffalo Assembly” used by the Métis in the 1700 to 1800s while hunting bison throughout the homeland. The BCMANR follows a Captain structure with representation from all regions (BCMANR n.d.).

The *Natural Resources Act* (Revised 2010) allows Métis harvesting of fish and wildlife for food, social, ceremonial, and traditional<sup>2</sup> purposes. MNBC citizens apply for harvesting cards issued by the BCMANR; these cards apply only to species, areas, and times of year, as described by regulations developed by the BCMANR. Currently, harvesting cards only replace the Canadian Migratory Bird license; they do not, on their own, authorize freshwater fishing, saltwater fishing, hunting (other than migratory birds), cutting timber, or trapping (MNBC 2012-2014).

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<sup>2</sup> Commercial harvesting is not authorized under the MNBC *Natural Resources Act*.



### 4.1.3 Social, Health and Economic Setting

MNBC provides various services to its communities, including programming related to children and families, culture, economic development, education, employment and training, health, sport, veterans, women, and youth (MNBC 2012-2014).

The Métis Nation Provincial Survey (MNPS), completed in 2006, provides the most recent and comprehensive data on trends particular to people of Métis descent in BC. It asked 129 questions addressing a variety of issues such as health, education, culture, governance, and employment. The survey was submitted to Métis people across the province<sup>3</sup> and returned a total of 1,521 responses (MNBC n.d.-d).

#### 4.1.3.1 Social and Health Issues

Arthritis was the most commonly reported chronic condition for the Métis people completing the MNPS, with over 54% of households surveyed having at least one person in their household with the condition. This was followed closely by chronic back pain (47%) and stomach/ digestive problems (42%). Diabetes and heart disease also ranked high, at 40.7% and 32.5% respectively (BC Provincial Health Officer 2009).

Over 91% of the Métis households surveyed reported drug addiction as the most important issue for Métis youth. A considerable percentage reported teen pregnancy and smoking as important issues (approximately 66% and 63% respectively). Suicide ranked as the fourth most important issue for Métis youth at 50%; one-quarter of Metis youth surveyed knew another Metis youth who had committed suicide, and 17% reported that they had contemplated or attempted suicide (BC Provincial Health Officer 2009).

#### 4.1.3.2 Employment and Income

In 2006, the unemployment rate for Métis people in BC was 9.4%, compared to 5.6% for the non-Aboriginal population. The median employment income for Metis people in BC was \$38,035 (BC MARR 2010-2011). This appears to be congruent with the MNPS which reported 55% of Metis household incomes being lower than \$40,000 per year (MNBC n.d.-d).

### 4.1.4 Education, Skills Development, and Training

Just over half of Metis adult respondents to the MNPS (51.2%) had at least a high school education, with 21% having a college education. Only 7% of Metis respondents had completed a university education<sup>4</sup> (BC Provincial Health Officer 2009). In 2006, 14.4% of Metis in BC had an apprenticeship or trades certificate, compared to 10.8% of the non-Aboriginal population in the Province (BC MARR 2010-2011). Eighty percent of Metis youth surveyed in the MNPS considered education and training to be the most important issue to them (BC Provincial Health Officer 2009).

The MNPS asked respondents to identify their reasons for not being able to achieve their desired levels of education. The question was structured in such a way as to allow respondents to answer “yes” to any combination of barriers. Over 31% indicated financial difficulty as the main barrier to achieving higher levels of education. Affordable housing and balancing school and family responsibilities were identified by approximately 15% and 14% respectively. Geographical distance to educational institutions, transportation, access to study resources, and child care were also identified as barriers to education (BC Provincial Health Officer 2009).

<sup>3</sup> Or more particularly, people recognized by the MNBC as Metis (and registered in their citizenship registry) and living in British Columbia.

<sup>4</sup> It is unclear from the structure of the question whether or not diplomas/degrees were obtained as a result of this education.

MNBC administers the Métis Employment and Training Program to improve the employment potential, earning capacity and self-sufficiency of Métis people in BC (MNBC 2012-2014).

### 4.1.5 Language

The language spoken by Métis in BC is typically English, though the traditional Métis language is Michif. The MNPS from 2006 reported that less than 5% of the Métis population surveyed speak Michif themselves; almost 15% indicated that Michif was spoken by someone in their home. Despite the fact that the language is not widely spoken, over two-thirds of the respondents indicated that they were interested in learning Michif (BC Provincial Health Officer 2009).

## 4.2 MÉTIS RIGHTS AND INTERESTS IN BRITISH COLUMBIA

MNBC, unlike other Aboriginal groups, does not claim territories; instead, on behalf of their citizens, they assert rights and traditional uses over the entire province, with documented traditional land use in 95% of the provincial watersheds (MNBC 2010). As per the MNBC Constitution (Revised 2013), MNBC also asserts rights to self-government and title.

MNBC conducted an “Assertion of Métis Rights and Traditional Land Uses” study in 2009, which is a compilation of 14,000 historical documents, indicating “a significant Métis presence throughout BC”. Métis Traditional Land Use interviews support Métis use in BC since 1920 and a continuum of use patterns from the days of their ancestors (MNBC 2010).

MNBC identifies and describes several Aboriginal rights asserted by Métis with a focus on the Aboriginal right to harvest. Many Métis hunt, fish, and trap, and have an ongoing interest in harvesting traditions (MNBC 2010).

### 4.2.1 British Columbia Métis Mapping Research Project

The British Columbia Métis Mapping Research Project (BCMMRP) contains a number of databases that aim to document Métis presence and activities on the land. The database includes the “Harvester Survey and Mapping Tool”, the purpose of which is to inventory past and current Métis harvesting frequency in the province. The information is organized by watershed, age of the harvester (born before 1945, between 1945 and 1966, or after 1966), and harvest product. The database does not provide the origin of this information, dates of harvest, names of harvesters, or specific site references. What is provided is a running total of the number of times Métis have recorded harvesting activities in a given watershed over time (MNBC 2012-2014; Rescan 2013d)

Rescan (2013d) obtained data from the BC MMRP for the KSM Project, a separate development in the vicinity of the Brucejack Gold Mine Project and for which an Application/EIS was recently completed. For the purpose of this study, all harvester ages, by each harvest product, were queried within the watersheds that overlapped the KSM Project’s LUSA. The activities and frequencies in these watersheds<sup>5</sup> are noted in Table 4.2-1. No attempt was made to verify the information in the database or rectify apparent anomalies or inconsistencies in the data (e.g., the potential for double counting across watersheds) (Rescan 2013d).

The BCMMRP also includes a *Map of Places Significant to the Métis in British Columbia*. A search of this map (MNBC 2012-2014) did not return any results within the SESA or LUSA.

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<sup>5</sup> As of November 7, 2012, the date that Rescan collected data for the KSM Project.



**Table 4.2-1. British Columbia Métis Mapping Research Project: Database Results for Watersheds that Overlap with the KSM Project Land Use Study Area**

Watershed	Harvest Product						
	Bear	Deer	Moose	Small Game	Birds	Fish	Plant (non-timber)
Lower Bell-Irving River Watershed	455	455	455	320	320	320	320
Upper Bell-Irving River Watershed	455	455	455	320	320	320	320
Unuk River Watershed	135	135	135	No data	No data	No data	No data

Source: Rescan (2013d).

Note: As discussed above, data presented within the table is derived from the BCMMP and believed to be averaged across larger watershed areas.

## 5. Summary

## 5. Summary

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The desktop study identified socio-economic characteristics of Métis living in BC, as well as Métis hunting, fishing, and plant (non-timber) harvesting in areas equivalent to the LUSA. Harvests included birds, bear, deer, moose, small game, fish, and non-timber plant species. Given the available data, it is not possible to confirm whether or not there are harvesting interests in proximity to the proposed Project because the information is aggregated at the larger watershed level (Table 4.2-1).

This study also revealed broader Métis Charter Communities within the SESA. Specifically, there are two Métis Charter Communities in the region – one based in Smithers and one in Terrace. Land use activities of members associated with these communities are expected across the region and assumed to be included within the BCMMRP databases.

General assumptions can also be made regarding the broader Métis organizations and interests. It is anticipated that the Métis will expect that their Traditional Knowledge will be respected as part of the environmental assessment process. In general, Métis interests for project development may include, but not necessarily be limited to: employment, education and training for Métis; wildlife species and wildlife habitat; fish and fish habitat; and air and water quality.

The CEA Agency has allocated funding to support the MNBC's participation in the federal environmental assessment of the proposed Project. This funding was available to the public and Aboriginal groups through the Participant Funding Program administered by the CEA Agency. The funding is designed to enhance participation in the environmental assessment, which includes reviewing and providing comments on the Environmental Impact Statement and on the draft Environmental Assessment Report (CEA Agency 2013). It is anticipated that this will provide opportunities for the MNBC to bring forward any additional information relevant information on Métis interests.

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