



Magino Gold Project

Finan Township, Algoma
District, Ontario

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: SECTION 7.2: TRADITIONAL USE OF LANDS AND RESOURCES MANAGEMENT PLAN

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EMP/OPERATIONAL STANDARD REVISION RECORD

EMP Name	Revision Number	Revision Date	Summary of Revision
Traditional Use of Lands and Resources Management Plan	V1	October 30, 2020	N/A
Traditional Use of Lands and Resources Management Plan	V2	November 13, 2020	Consistency Check
Traditional Use of Lands and Resources Management Plan	V3	January 15, 2021	Consistency Check

LIST OF ACRONYMS

BFN	Batchewana First Nation
CEAA	Canadian Environmental Assessment Agency ('the Agency'; now Impact Assessment Agency of Canada/IAAC)
CEMP	Construction Environmental Management Plan
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
GRFN	Garden River First Nation
IAAC	Impact Assessment Agency of Canada (formerly Canadian Environmental Assessment Agency/CEAA)
IBA	Impact Benefit Agreement
MCFN	Missanabie Cree First Nation
MFN	Michipicoten First Nation
MNO	Métis Nation of Ontario
RSMIN	Red Sky Métis Independent Nation
TK	Traditional Knowledge
TKS/TLUS	Traditional Knowledge Studies/Traditional Land Use Studies
TULR	Traditional use of lands and resources

7.2.1. INTRODUCTION

7.2.1.1. Purpose and Objectives

This *Traditional Land Use Management Plan* (the Plan) is one of the Environmental Management Plans (EMPs) that Prodigy Gold ('Prodigy') has developed for the Magino Gold Project ('the Project'), as per the Environmental Impact Statement (EIS) Commitments (posted to the Impact Assessment Agency of Canada's (IAAC) Registry in December 2018¹), as well as the Environmental Assessment (EA) conditions issued to Prodigy by the federal Minister of the Environment on January 24, 2019 in the Decision Statement². These EMPs form part of the *Construction Environmental Management Plan* (CEMP). EA conditions and EIS Commitments related to the traditional use of lands and resources are found in Appendix 7.2-A. This Plan has been developed in accordance with Prodigy's EIS Commitments (60, 68, 73-75) and EA conditions (6.1, 6.2, 6.6).

Prodigy is committed to protecting the environment, safe operations, and the health and safety of employees, contractors, and the communities in which Prodigy operates. The purpose of this Plan is to document the processes to be implemented during construction of the Project to ensure the sharing of information on preventing, avoiding, reducing, and/or mitigating adverse environmental effects of Project on the current use of lands and resources for traditional purposes. This Plan will be carried out in accordance with the agreements between Prodigy and Indigenous communities, and regulatory and Project requirements for construction of the mine.

7.2.1.2. Roles and Responsibilities

Role	Responsibility (See Section 3 Procedures for Details)
Environmental Manager	<ul style="list-style-type: none"> • Responsible for coordinating communications with Indigenous communities; • Responsible for ensuring required engagement with Indigenous communities occur within identified timelines and for identified EA conditions and EIS commitments; • Responsible for ensuring the obligations in community agreements are carried out; • Responsible for directing all aspects of Prodigy's environmental programs for the Project and reports to the Mine Manager; • Responsible for ensuring appropriate site personnel (contractors and staff) are aware of the CEMP and follow the guidance contained herein;

¹ Prodigy Gold Inc. December 2018. *Magino Project Commitments List*. <https://iaac-aeic.gc.ca/050/documents/p80044/125783E.pdf>

² Canadian Environmental Assessment Agency. January 2019. *Decision Statement Issued Under Section 54 of the Canadian Environmental Assessment Act, 2012 for the Magino Gold Project*. <https://iaac-aeic.gc.ca/050/documents/p80044/126612E.pdf>

Role	Responsibility (See Section 3 Procedures for Details)
	<ul style="list-style-type: none"> • Responsible for implementation of best management practices for the CEMP; • Issue directive to alter or suspend work activities if needed to ensure environmental protection; • Responsible for ensuring that staff are familiar with the applicable regulatory and other requirements as outlined in this Plan and other sections of the CEMP with relevance to this Plan; • Provide interpretation or guidance in the event of uncertainty around permit requirements or other actions which may have the potential for environmental harm; • Responsible for communications to senior mine management and coordinating communications with potentially affected members of the public; • Responsible for ensuring required reporting has been completed and submitted to regulatory authorities; and • Maintaining records relevant to the implementation of the conditions in the federal Decision Statement.
Indigenous Communities	<ul style="list-style-type: none"> • Responsible for participating and providing input and direction throughout all phases of the project; and • Responsible for carrying out obligations in the community agreements

7.2.1.3. Related Documents

This Plan has linkages to other EMPs that are related to traditional uses by Indigenous communities. In particular, the following CEMP sections also have some relation to traditional uses of lands and resources:

- *7.1: Indigenous Engagement Plan* – which, among other objectives, addresses the ‘communication plan’ requirements of several EA conditions (e.g., EA conditions 6.1 and 6.2 [Current Use of Lands and Resources for Traditional Purposes], EA condition 8.5 [Accidents and Malfunctions]) ;
- *The Indigenous Communities Master Contact List* (Appendix 2.3 in the CEMP³);
- *2: Accident and Malfunction Response Plan* – Indigenous communities must be notified/engaged in the event of various potential accidents or malfunctions that may occur at the site or during transportation;

³ Prodigy maintains a single master ‘Indigenous Community Contact List’ as Appendix 2.3 of the CEMP. The contact list provides key information for both elected leadership, key staff, and their technical experts/consultants; it is updated periodically as necessary. Using this approach to the contact list will ensure that there are no errors or omissions that may occur if the list is included as part of multiple sections of the CEMP.

- **7.3: Historic Resources Management Plan** – Indigenous communities must be notified/engaged in the event of inadvertent discoveries;
- **4: Wildlife and Vegetation Management Plan** – EA conditions 6.5 and 4.4 require development/implementation of a follow-up program in consultation with Indigenous communities regarding adverse effects on the use of lands and resources for traditional purposes caused by changes to the use of the Project study area by mammals (including bear and moose) and migratory birds;
- **3: Air/Atmospheric Environment Management Plan** – EA condition 5.3 requires development/ implementation of a follow-up program for adverse environmental effects of air contaminants on the health of Indigenous peoples; and
- **7.6: The Socio-Economic Management Plan** – addresses (amongst other things) other types of land uses in the Project area by tenure holders (e.g., trappers, outfitters, camps/cabins).

7.2.1.4. Traditional Use of Lands and Resources – Background

As part of the planning and development of the proposed Project, Prodigy has engaged six Indigenous communities identified by provincial and federal agencies:

- Michipicoten First Nation (MFN)
- Missanabie Cree First Nation (MCFN)
- Métis Nation of Ontario (MNO)
- Batchewana First Nation (BFN)
- Red Sky Métis Independent Nation (RSMIN)
- Garden River First Nation (GRFN)

Additional information on these Indigenous communities and engagement to date since 2013 is provided in the *Indigenous Engagement Plan* in the CEMP (section 7.1).

Impact Benefit Agreements (IBAs) have been signed between Prodigy and five Indigenous communities: MFN, MCFN, BFN, the MNO, and RSMIN. Positive discussions are ongoing with the Garden River First Nation in support of Project development. These bilateral agreements accommodate potential effects of the Project on traditional activities and Aboriginal and Treaty rights of Indigenous partners. A variety of accommodation and/or compensation mechanisms have been provided through the entire suite of terms and conditions of the agreements.

There are several key sources of information for the Project with respect to traditional use of lands and resources:

1. *Traditional Knowledge Studies/Traditional Land Use Studies (TKS/TLUS)* provided an important source of information for the environmental assessment, and now during Project implementation (including construction). These confidential studies were funded by Prodigy, and each Indigenous community utilized their own methodology. This information assisted Prodigy in describing the existing environment and predicting potential effects of the Project on traditional activities and Aboriginal and Treaty rights of Indigenous partners. TKS/TLUS have been provided by six Indigenous communities:

- a. Michipicoten First Nation (2014)
- b. Missanabie Cree First Nation (2014)
- c. Métis Nation of Ontario (2014)
- d. Batchewana First Nation (2015)
- e. Red Sky Métis Independent Nation (2013)
- f. Garden River First Nation (2018)

As of January 2021, Prodigy has not received any updated TKS/TLUS information from any groups.

2. *Summary tables of traditional use of lands and resource, Aboriginal cultural activities and special places for each of the six Indigenous communities prepared as a response to an Information Request by the Canadian Environmental Assessment Agency (CEAA; now the IAAC) during the EA process (IE(2)-06 June 1 2018)⁴. The purpose of the six tables - one for each Indigenous community - is to summarize:*

- Uses of land and resources for traditional purposes and other cultural practices (historic and current) identified by each Indigenous community;
- Effects of the Project on traditional uses/practices or special places before mitigation measures applied;
- “Mitigation Measures” proposed for effects to traditional uses /practices or special places and the exercise of Aboriginal and Treaty rights;
- Residual effects post-mitigation, including a description of the consideration of the importance of a use or practice where that information exists; and
- Conclusions with respect to adverse effects on traditional uses/ practices or special places, their significance and potential impacts to Aboriginal and Treaty rights.

Note that the confidential Traditional Knowledge Studies/Traditional Land Use Studies, the summary tables, and other confidential information related to traditional use of lands and resources and the Magino project is provided as a stand-alone Appendix 7.2-C ‘TULR Information Resources’. Appendix 7.2-C is not intended for external distribution beyond Prodigy Gold.

It is possible that over time this information may be updated as new information is provided by Indigenous communities.

7.2.2. PROCEDURES

The following procedures are to be implemented to prevent, avoid, reduce, and/or mitigate adverse environmental effects of the Project on the current use of lands and resources for traditional purposes.

⁴ The June 2018 IE(2)-06 response reports earlier information from GRFN, and does not reflect the GRFN’s November 2018 Knowledge and Use Study report.

7.2.2.1. Communication Plan

EA conditions 6.1 and 6.2 require development/implementation of a communication plan that includes procedures, timing and methods for sharing information about the Project and potential adverse environmental effects with Indigenous communities. The plan shall (amongst other things) include procedures for sharing information on:

- a) Project activities that may affect the quality of experience to Indigenous uses of lands for traditional purposes related to changes caused by dust, noise or light within the property boundary and that may permanently or temporarily affect navigation within the Project study area;
- b) Procedures for Indigenous communities to provide feedback about adverse environmental effects of the Project related to access to, and use of, lands for traditional purposes. Procedures will identify how the proponent will document and respond to feedback, demonstrating how issues have been addressed; and
- c) Results of various follow-up programs, including any potential health risks, and modified or additional mitigation resulting from the follow-up programs.

Refer to the *Indigenous Engagement Plan* in the CEMP (section 7.1) for more information regarding the engagement approach, procedures, timing, methods, materials, tools and contacts.

7.2.2.2. Development of/Reporting on Follow-up Programs Related to Current Use of Lands and Resources for Traditional Purposes

The January 2019 federal EA conditions require that Prodigy consult with Indigenous communities regarding the development/implementation of follow-up programs related to traditional use in the Project study area, and regarding the use of updated traditional use patterns and traditional knowledge information in Project design and operations. EA condition 6.6 states: *“In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the environmental assessment and the effectiveness of mitigation measures related to use of lands and resources for traditional purposes; implement the program during all project phases.”* See Section 7.2.3 below, and Appendix 7.2-B, for additional detail.

7.2.2.3. Process for Incorporating New Information from Indigenous Communities

As of January 2021, Prodigy has not received any updated TKS/TLUS information from Indigenous communities. Prodigy will consider any additional information from Indigenous communities as it becomes available, and will incorporate it as appropriate into planning, construction and operations. The follow-up program will be used to ensure that any changes in traditional use patterns and updated traditional knowledge information is reflected, and will be implemented via some, or all, of the following mechanisms:

- Implementation of the terms and conditions of bilateral agreements negotiated with Indigenous communities;
- Ongoing engagement with identified land users; and

- Consideration as part of the planning process for the final Closure Plan for the Project that will be filed prior to the initiation of construction.

Prodigy also prepared a commitments table (December 2018) that compliments and expands upon the tables provided in Appendix 7-1 of the EIS that consolidate mitigation measures for the Valued Components. As Prodigy continues to engage with Indigenous communities, information will be continually updated.

7.2.2.4. Protocol for Identifying/Responding to Potential Effects of Project Activities on Current Use of Lands and Resources for Traditional Purposes

Prodigy will follow the protocol below in advance of conducting activities related to the Project (either on-site, or in the surrounding area) that may have off-site effects on current use of lands and resources for traditional purposes by Indigenous communities. “*Designated Project*” means the Project as described in Section 2 of the EA report (January 2019) prepared by the CEAA (Canadian Environmental Assessment Registry Reference Number 80044)⁵. ‘New’ project or Prodigy activities are those that are not included in Table 2.2 ‘Project Activities and Duration’ in the EA report. It is noted that the bilateral IBAs negotiated with Indigenous communities have accommodated any residual effects of the Project on Indigenous communities’ traditional activities and Aboriginal rights.

While the Project activities may occur on-site, it is the potential off-site effects on uses by Indigenous communities that are of interest. The protocol consists of six steps:

1. Initial review of the proposed activity:
 - a) Is the activity-part of the Designated Project? Or is it a ‘new’ activity that is not part of the Designated Project?
 - b) Is the activity on-site, or off-site in the site vicinity⁶?
 - c) Will there be associated potential effects on current use of lands and resources for traditional purposes by Indigenous communities, as identified in the TKS/TLUS reports, the summary tables, the *Magino Gold – GRFN Activity Classes with EIS Site Layout - November 28, 2018*, or the *Magino Gold - Traditional Knowledge and Land Use Composite Map* (see Section 7.2.1.4 above)?
 - d) Are these potential effects different in nature or magnitude than those predicted in the EIS?

If it is determined that the activity may result in new/previously unidentified effects, or a change in the significance of potential effects on current use of lands and resources for traditional purposes by Indigenous communities, Prodigy will:

⁵ Canadian Environmental Assessment Agency. January 2019. *Magino Gold Project – Environmental Assessment Report*. <https://www.ceaa-acee.gc.ca/050/evaluations/document/129464>

⁶ Note that the Appendix 1 of the CEMP (in preparation) contains the relevant site/project maps.

2. Coordinate and communicate internally with appropriate Prodigy/contractor personnel regarding the nature/timing of the potential effects.
3. Conduct a more detailed assessment of potential implications of the activity (timing, potential effects, more specific nature of the TULR activity/value that may be affected, which Indigenous community(s) should be notified etc.):
 - Identify the off-site physical effects of the Prodigy activity;
 - Determine the pathway between the Prodigy activity and the TULR values in the area for Indigenous community(s); and
 - Understand the potential effects of the Prodigy activity on the TULR values and possible mitigation.
4. Notify Indigenous community(s) potentially affected as applicable (as per procedures in the *Indigenous Engagement Plan* in the CEMP (section 7.1)).
5. Discuss the proposed activity and potential effects on the TULR values and mitigation; confirm agreement on the approach.
6. Commence activity based on discussion between Indigenous community(s).

7.2.3. MONITORING AND FOLLOW-UP PROGRAMS

EA condition 6.6 states: *“The Proponent shall develop, prior to construction and in consultation with Indigenous groups and relevant authorities, and implement during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of mitigation measures, including the mitigation measures referred to in conditions 6.1 to 6.4, as it pertains to the adverse environmental effects of the Designated Project on the current use of lands and resources for traditional purposes. The Proponent shall implement the follow-up program during all phases of the Designated Project.”*

There are several other follow-up programs required under other EA conditions that relate indirectly to traditional use of lands and resources; these are summarized in a table in Appendix 7.2-B.

The follow-up program that fulfills EA Condition 6.6 is summarized below.

1. Prodigy will regularly engage with Indigenous communities, as per the respective IBA requirements, EA conditions, EIS commitments, and any requirements associated with various Project-specific authorizations.
2. Engagement will include:
 - a. Updates on upcoming and ongoing Project activities;
 - b. The design, implementation, and results of the follow-up program to verify the accuracy of the EA and the effectiveness of mitigation measures related to use of lands and resources for traditional purposes;

- c. Reporting on overall monitoring and follow-up design, implementation, and results (including the follow-up programs identified in the EA conditions [see Appendix 7.2-B]);
 - d. Opportunities for Indigenous communities to raise questions, concerns, or observations about the changes in current use of lands and resources for traditional purposes, and off-site effects of the Project on current use of lands and resources for traditional purposes;
 - e. Opportunities for Indigenous communities to provide traditional knowledge for consideration during all project phases, and implementation of the Closure Plan; and
 - f. Where potential/actual effects are identified, discuss potential mitigation measures.
3. Prodigy will maintain a tracking document specific to each Indigenous community that will document the findings of the follow-up program (e.g., changes in current uses; monitoring and follow-up findings; modified or additional mitigation; Prodigy's response to identified issues/how they have been addressed).

7.2.4. REPORTING

Prodigy undertakes various internal and external reporting. These products may include documentation of consultation or serve as mechanisms to share information with Indigenous communities.

- Internal reporting (e.g., periodic reports to senior management on emerging issues/outcomes of Indigenous engagement; Environmental Management System reporting; updates to the summary tables of traditional use of lands and resource, Aboriginal cultural activities and special places for each of the six Indigenous communities; the tracking document specific to each Indigenous community that will document the findings of the follow-up program); and
- Prodigy has several external reporting requirements and associated documentation; these may be shared with Indigenous communities, or engagement may be documented in them. These include:
 - Periodic Project updates (e.g., annual Project newsletter summarizing Project status; environmental and socio-economic monitoring etc.);
 - Mandatory reports to agencies/Indigenous communities and others on specific incidents/occurrences at the Project (e.g., inadvertent discoveries or accidental encroachments, as per the *Historic Resources Management Plan* in the CEMP (section 7.3); with respect to accidents and malfunctions, as per the *Accident and Malfunction Response Plan* in the CEMP (section 2));
 - The annual report/schedules submitted to IAAC on EA condition implementation; and

- Compliance or other reporting required for a specific authorization – this may relate to current/ongoing site monitoring (e.g., management of historic tailings) or ‘new’ reporting (e.g., for provincial/federal authorizations).

7.2.5. FORMS

Additional detail on record-keeping is provided in the *Indigenous Engagement Plan*. In summary, Prodigy will continue to maintain its engagement record management system, including for matters related to engagement with Indigenous communities on the traditional use of lands and resources. This includes:

- Updating the communication log that documents all engagement with Indigenous communities (see section 2.5.1 of the *Indigenous Engagement Plan* in the CEMP (section 7.1));
- Electronic records of communications or correspondence with Indigenous communities (see section 2.5.2 of the *Indigenous Engagement Plan* in the CEMP (section 7.1)); and
- Agendas/notes of meetings or teleconferences that may occur.

APPENDIX 7.2-A: EA CONDITIONS/EIS COMMITMENTS RELATED TO TRADITIONAL USE OF LANDS AND RESOURCES

The federal EA approval received via the Decision Statement issued on January 24, 2019⁷ included a suite of EA conditions; those relevant to traditional use of lands and resources are included in Table 7.2-A-1 below. In addition, Prodigy made commitments in the EIS with respect to traditional use of lands and resources by Indigenous communities (December 2018⁸); these are summarized in Table 7.2-A-2. The conditions and commitments in the tables have been paraphrased for brevity, although the terminology ‘Indigenous groups’ is retained for consistency with the Decision statement; for full wording, refer to the original documents at the links in the footnotes below.

Table 7.2-A-1: Federal EA Conditions Related to Traditional Use of Lands and Resources (January 2019)

EA Conditions Related to Traditional Use of Lands and Resources (January 2019)		
Condition #	Action Required	EMP/CEMP Section
	<i>Health of Indigenous Peoples</i>	
EA Condition 5.3	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the EA and mitigation measures related to adverse environmental effects of air contaminants on the health of Indigenous peoples	Air/Atmospheric Environment Plan (section 3)
	<i>Current use of lands and resources for traditional purposes</i>	
EA Condition 6.1	In consultation with Indigenous groups, develop a communication plan that includes procedures, timing and methods for sharing information about the project and adverse environmental affects with Indigenous groups. The plan shall include procedures for sharing information on 1) project activities that may affect the quality of experience to Indigenous uses of lands for traditional purposes caused by changes in dust, noise or light within the property boundary and that may permanently or temporarily affect navigation within the project study area, and 2) results of various follow-up programs, including any potential health risks, and modified or additional mitigation resulting from the follow-up programs.	Indigenous Engagement Plan (section 7.1); Traditional Use of Lands and Resources Plan (this Plan)
EA Condition 6.2	The communication plan shall also include procedures for Indigenous groups to provide feedback about adverse environmental effects of the project related to access to and use of lands for traditional purposes. Procedures will identify how the proponent will document and respond to feedback, demonstrating how issues have been addressed. The plan will be implemented during all project phases.	Indigenous Engagement Plan (section 7.1); Traditional Use of Lands and Resources Plan (this Plan)

⁷ Canadian Environmental Assessment Agency. January 2019. *Decision Statement Issued Under Section 54 of the Canadian Environmental Assessment Act, 2012 for the Magino Gold Project.* <https://iaac-aeic.gc.ca/050/documents/p80044/126612E.pdf>

⁸ Prodigy Gold Inc. December 2018. *Magino Project Commitments List.* <https://iaac-aeic.gc.ca/050/documents/p80044/125783E.pdf>

EA Conditions Related to Traditional Use of Lands and Resources (January 2019)		
Condition #	Action Required	EMP/CEMP Section
EA Condition 6.3	Prior to construction and in consultation with Indigenous groups, develop a Historic Resources Management Plan for structures, sites, or things of historical, archaeological, paleontological, or architectural significance. Implement the Plan during all phases of the project. Follow the protocols identified in the EA condition/Plan if there are any previously unidentified discoveries by the proponent within the property boundary, or brought to the attention of the proponent by an Indigenous group or another party during any phase of the project.	Historic Resources Management Plan (section 7.3)
EA Condition 6.4	As part of the progressive reclamation referred to in EA condition 4.3, identify, prior to the start of progressive reclamation and in consultation with Indigenous groups and relevant authorities, species of interest to Indigenous peoples to use for revegetation. Prior to the start of progressive reclamation, develop measures to manage the spread of invasive species in consultation with Indigenous groups and relevant authorities, and implement, during all phases of the project. Submit these measures to the Agency before implementing them.	Closure Plan; Wildlife and Vegetation Management Plan (section 4); Invasive Species Management Plan (section 14)
EA Condition 6.5	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the environmental assessment related to adverse effects on the use of lands and resources for traditional purposes caused by changes to the use of the project study area by mammals (including bear and moose); implement the program during all project phases.	Wildlife and Vegetation Management Plan (section 4)
EA Condition 6.6	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the environmental assessment and the effectiveness of mitigation measures related to use of lands and resources for traditional purposes; implement the program during all project phases.	Traditional Use of Lands and Resources Plan (this Plan)

Table 7.2-A-2: Prodigy’s EIS Commitments Related to Traditional Use of Lands and Resources (December 2018)

EIS Commitments Related to Traditional Use of Lands and Resources (December 2018)	
Commitment #	Action Required
EIS Commitment 60	<p>“The Environmental Monitoring Committee (EMC)⁹ will be consulted to ensure that changes in traditional use patterns and updated traditional knowledge information can be used in design and operations and can be developed and implemented via some or all of the following mechanisms:</p> <ul style="list-style-type: none"> • Ongoing engagement with Indigenous groups. • Ongoing engagement with identified land users. • Indigenous groups’ participation in the Environmental Monitoring Committee. • Adaptive management plans. • Consideration as part of the planning process for the final Closure Plan.”
EIS Commitment 68	<p>“A follow-up program to ensure that any changes in traditional use patterns and updated traditional knowledge information that would be used in design and operations, can be developed and implemented via some or all of the following mechanisms</p> <ul style="list-style-type: none"> • Ongoing engagement with identified land users. • Indigenous groups’ participation in the Environmental Monitoring Committee. • Adaptive management plans. • Consideration as part of the planning process for the final Closure Plan. “
EIS Commitment 73	<p>“The EMC will have a mandate to include further traditional knowledge as the project proceeds.”</p>
EIS Commitment 74	<p>“Adaptive management will be based on periodic reporting of indicators related to Traditional Use of Lands and Resources for the Project, and ongoing engagement with Indigenous groups. The company will discuss with Indigenous groups (through the Environmental Monitoring Committee) and others the method for confirming key indicators, reporting and responding to monitoring results. Key indicators for the Project will be monitored by Prodigy.”</p>
EIS Commitment 75	<p>“Prodigy has committed to continuing to work collaboratively with Indigenous communities to accommodate potential effects of the Project on their respective traditional activities and Aboriginal and Treaty rights.”</p>

⁹ Over the course of engagement with Prodigy, each Indigenous community has provided direction in terms of the approach(es) that they preferred for engagement activities. As such, the approach taken has varied from community to community, based on their direction, needs and expectations. During the EA process, an Environmental Monitoring Committee (EMC) was proposed; post-environmental assessment, Indigenous communities have been engaged bilaterally.

APPENDIX 7.2-B: FEDERAL EA CONDITIONS FOR FOLLOW-UP PROGRAMS RELATED TO TRADITIONAL USE OF LANDS AND RESOURCES

The federal EA approval received via the Decision Statement issued on January 24, 2019¹⁰ included a suite of EA conditions; those relevant to follow-up programs related to current use of lands and resources for traditional purposes are summarized in Table 7.2-B-3 below. The conditions have been paraphrased for brevity, although the terminology ‘Indigenous groups’ is retained for consistency with the Decision statement; for full wording, refer to the original documents at the links in the footnote below.

Table 7.2-B-1: Federal EA Conditions for Follow-up Programs Related to Traditional Use of Lands and Resources (January 2019)

EA Conditions for Follow-up Programs Related to Traditional Use of Lands and Resources (January 2019)		
Condition #	Action Required	EMP/CEMP Section Containing the Follow-up Program
	<i>Current Use of Lands and Resources for Traditional Purposes</i>	
EA condition 6.5	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the environmental assessment related to adverse effects on the use of lands and resources for traditional purposes caused by changes to the use of the project study area by mammals (including bear and moose); implement the program during all project phases.	Wildlife and Vegetation Management Plan (section 4)
EA condition 6.6	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the environmental assessment and the effectiveness of mitigation measures related to use of lands and resources for traditional purposes; implement the program during all project phases.	Traditional Use of Lands and Resources Management Plan (This Plan)
	<i>Fish and Fish Habitat</i>	
EA condition 3.16	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to determine the effectiveness of mitigation measures related to protecting fish and fish habitat caused by blasting. Implement the follow-up program during blasting.	Fish and Fish Habitat Management Plan (section 5)
EA condition 3.17	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to determine the effectiveness of mitigation measures related to fish salvage and relocation, as it pertains to incidental capture; implement the program.	Fish and Fish Habitat Management Plan (section 5)
EA condition 3.18	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the EA and determine the effectiveness of mitigation measures on fish and fish habitat caused by changes in water and sediment quality in Otto Lake and Herman Lake; implement the program.	Fish and Fish Habitat Management Plan (section 5)

¹⁰ Canadian Environmental Assessment Agency. January 2019. *Decision Statement Issued Under Section 54 of the Canadian Environmental Assessment Act, 2012 for the Magino Gold Project.* <https://iaac-aeic.gc.ca/050/documents/p80044/126612E.pdf>

EA Conditions for Follow-up Programs Related to Traditional Use of Lands and Resources (January 2019)		
Condition #	Action Required	EMP/CEMP Section Containing the Follow-up Program
EA condition 3.19	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to monitor mitigation measures related to effects on the fish and fish habitat in Otto Lake, Herman Lake and Goudreau Lake from changes in the groundwater quality; implement the program.	Fish and Fish Habitat Management Plan (section 5)
	<i>Migratory Birds</i>	
EA condition 4.4	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of EA related to use by migratory birds of surface water facilities in project area and monitor migratory birds use of the tailings management facility; implement the program.	Wildlife and Vegetation Management Plan (section 4)
EA condition 4.5	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of EA and mitigation measures to avoid harm of migratory birds, including their eggs, nests, and develop performance indicators related to effectiveness of progressive reclamation; implement the program.	Wildlife and Vegetation Management Plan (section 4)
	<i>Health of Indigenous Peoples</i>	
EA condition 5.3	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the EA and mitigation measures related to adverse environmental effects of air contaminants on the health of Indigenous peoples.	Air/Atmospheric Environment Management Plan (section 3)
EA condition 5.4	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of the EA and mitigation measures related to contamination of water and fish; implement the program.	Fish and Fish Habitat Management Plan (section 5); Water Management Plan (section 6)
	<i>Wetlands</i>	
EA condition 7.2	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to determine the effectiveness of wetland restoration; implement the program.	Wildlife and Vegetation Management Plan (section 4)
EA condition 7.3	In consultation with Indigenous groups and relevant authorities, develop a follow-up program to verify the accuracy of EA as it relates to snapping turtles and turtle eggs in the project area. Implement the program during construction/operation. If snapping turtles or their eggs are observed, develop in consultation with Indigenous groups and relevant authorities, measures to include at a minimum installation of exclusion fences around snapping turtle habitat or relocate turtle eggs. Submit measures to IAAC before implementing these measures.	Wildlife and Vegetation Management Plan (section 4)

APPENDIX 7.2-C: TRADITIONAL USE OF LANDS & RESOURCES INFORMATION RESOURCES (STAND-ALONE CONFIDENTIAL DOCUMENT)

Note that the confidential Traditional Knowledge Studies/Traditional Land Use Studies, the summary tables, and other confidential information related to traditional use of lands and resources and the Magino project is provided separately as a stand-alone Appendix 7.2-C 'TULR Information Resources'. Appendix 7.2-C is not intended for external distribution beyond Prodigy Gold.