



May 15, 2017

Hon. Kathleen Wynne  
Premier  
Legislative Bldg Rm 281  
Queen's Park  
Toronto, ON M7A 1A1

Dear Premier Wynne:

**RE: Moose Cree's Unanimous Rejection of Proposed Drilling Project by Niobay Metals Inc (PR-16-10977) and Need for Permanent Protection of the North French River Watershed and South Bluff Creek.**

We request a meeting with you immediately to discuss a new threat to the Moose Cree Homeland. The Ministry of Northern Development and Mines (MNDM) is about to make a decision on a permit to allow drilling in the South Bluff Creek Area. This area and the North French River Watershed lies within the heart of the Moose Cree Homeland. It is an area of great cultural and environmental significance to our people. The North French River is one of last sources of clean water for our people. Its protection and preservation are of paramount importance that's why we deemed it permanently protected in 2002 and reaffirmed it in 2015. The South Bluff Creek is highly used by our members and has camps all along it. You can still drink the water from the creek and the sensitive wetland area supports brook trout, moose, black bear and boreal caribou. Families that occupy the area are united in their opposition to this project. Its protection is also of paramount importance to our people.

Niobay Metals and Ontario were informed of our position in letters on October 16, 2016. A copy of our letter to Mr. Robert Calhoun, Regional Supervisor, MNDM, is enclosed.

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**In that letter, we affirmed, without question, Moose Cree First Nation's and the Sailors family's unanimous rejection of the Ontario government's assertion to explore and mine the toxic mineral, niobium, on the South Bluff Creek watershed.**

**My letter to Mr. Calhoun was very clear. There will be NO mining related activities (drilling, open house, community consultation, meeting with the Chief and Council of Moose Cree First Nation) whatsoever concerning Niobium's leasehold CLM-11 on South Bluff Creek watershed, now or anytime in the future. The community rejected a similar project in 2003 when previous owners of lease CLM-11 tried to initiate a drilling project here.**

**Our community was recently alarmed by company posted plans on their website for mine construction in 2020 and production by 2021. These plans are for potential investors, include several road options through our Homeland and the construction of a transmission line across the North French River Watershed. All of this is being proposed without our consent.**

**Let me be clear, the South Bluff Creek is an area that is not open to mining or any other industrial development. It is not a matter of our community needing more time to better understand the economics of the project. Moose Cree will not allow any industrial development here ever. I am attaching a recent Band Council Resolution on this specific matter (enclosed).**

**We were invited on October 18, 2016 to present to the Federal Standing Committee on Environment and Sustainable Development on Canada's protected areas and conservation objectives. Canada has plans to meet ambitious targets under the Convention of Biological Diversity to protect 17% of lands and inland waters by 2020. Ontario has endorsed these targets as well. Jack Rickard, Director of Lands and Resources, and I attended. Because this issue is of great important to me and my community I attended in person and delivered the remarks. I strongly encouraged the committee and all governments to work with Indigenous Peoples to reflect and respect our protected areas in their plans (comments enclosed).**

**With that in mind, I am following up on a previous letter sent to you by Moose Cree on February 25, 2015 regarding the permanent protection of the North French Watershed. It has been more than two years (28 months) and still your government has not withdrawn the remaining approximately 507,000 ha of the watershed (that is still open to mining). A conservation reserve already exists in the watershed protecting 158,286 ha.**

**Moose Cree First people are the original people of this land and the Creator has given us this land as our home. We have an inherent right to our Homeland that no other government can take from us.**

**Our ancestors have lived on this land since time immemorial drawing the animals, fish and plants for our sustenance. We are charged by the Creator with the sacred duty of preserving and protecting the land including its waters for our future generations. When our forefathers signed the treaty, we made it clear we were not giving up our land, we understood making the treaty as sharing the land in a way that preserved our rights to the land. You must get our consent prior to any development within our Homeland.**

**We will take all steps necessary to make sure that the heart of our Moose Cree homeland remains protected and free from all resource development.**

**In summary, we have already rejected the proposed drilling project and any talk of a mine in the South Bluff Creek Area. And we are steadfast in our resolve that the North French Watershed and South Bluff Creek be protected forever. We would like to discuss this with you. In the meantime, we demand that your government withdraws the exploration permit by Niobay Metals Inc.**

**Let's meet immediately to resolve this and to prevent further conflict. I look forward to hearing from you.**

**In the spirit of reconciliation,**



**Chief Patricia Faries  
Moose Cree First Nation**

**Encl.**

**Cc: Hon. Bill Mauro, Minister of Northern Development and Mines, Ontario  
Hon. Kathryn McGarry, Minister of Natural Resources and Forestry, Ontario  
Gilles Bisson, MPP for Timmins-James Bay**

**MOOSE CREE FIRST NATION'S SPEAKING NOTES ON PROTECTED AREAS  
TO THE FEDERAL STANDING COMMITTEE ON  
ENVIRONMENT AND SUSTAINABLE DEVELOPMENT  
For presentation on October 18, 2016**

Chief Patricia Faries

Jack Rickard, Director of Lands and Resources (jack.rickard@moosecree.com)

**Introduction:**

Good afternoon, Thank you for this opportunity to share with the Committee our perspective on protected areas and conservation objectives. Also, I would like to acknowledge the traditional territory of the Algonquins of Pikwakanagan. It is an honour to come before you and share our thoughts as Indigenous People. My name is Patricia Faries and I am joined by our Director of Lands and Resources Jack Rickard.

We are from the Moose Cree First Nation and we have recently made our reaffirmation of our Homelands Declaration on September 27, 2016. Our home community is located on Moose Factory Island within the Moose River Delta.

Our Moose Cree Homelands extend from Hearst, Ontario in the west just beyond the Quebec border in the east, and from south of Highway 11 to points north toward the Albany River. "Homelands" are the areas that are determined by the MCFN citizens (Eh-lilu-wuk) which is inclusive generally of the historical occupancy and use of lands and watersheds in the Northeastern Ontario. The Moose Cree Homelands is comprised of static boundaries and covers approximately 60,000 sq. km. As the Moose Cree have determined, Homelands include surface and subsurface lands, water and air. The Homeland areas have been derived using Moose Cree Knowledge from our Elders and are based on continued presence of hunting, trapping and harvest grounds prior to the Ontario government trapline system existed. And indeed prior to the signing of Treaty #9 known as the James Bay Treaty.

This is the land that our ancestors called their home, where our forefathers were born,

where food was gathered, where families were raised and buried, and where the Moose Cree life and culture continue to thrive. While we consider ourselves the Water People and we believe that everything on this earth is alive. Nipi-ma-tis-i-win meaning “Water is Life”. This is one element that was proven by western science that water can be influenced by its environment.

We, the Moose Cree people, are the original peoples of this land, the Creator has given us this land as our home. The Creator gave us our spiritual beliefs, our languages, our culture and this place on Earth which provides us with all our needs. Our ancestors have lived on this land since time immemorial, drawing on the animals, fish and plants for our sustenance. We are charged by the Creator with the duty of preserving and protecting the land for our future generations.

We come before you today to speak of a matter of great importance to us to provide you information on our initiatives that we are conducting within our Homelands to ensure the protection and conservation of our way of life. We believe our initiatives run parallel with this study on Federal Protected Areas and Conservation Objectives.

For the past 80 years, the people of Moose Cree have observed the cumulative impacts that have occurred on our lands, our water and our wildlife. There are a broad range of resource development activities occurring in the southern portion of our Homelands, including significant mineral exploration and extraction, hydroelectric development and forestry.

We seek to work collaboratively with proponents wherever possible. In fact, Moose Cree is possibly the only First Nation in Ontario to become partners in a major energy infrastructure project with Ontario Power Generation to own 25% of the Lower Mattagami River Project. We know, however, that economic development must be sustainable and must be pursued in a manner that protects our cultural integrity and is consistent with our cultural pursuits and protection of our treaty and inherent rights.

The Lands and Resources Secretariat have been mandated by the Chief and Council to provide for the management, protection, conservation and preservation of the Moose Cree First Nation (MCFN) Homelands on behalf of its Citizens (Eh-lilu-wuk).

One important initiative is the protection of the North French River Watershed. I have attached a map to give you a perspective of the amount of area this involves. This region is considered of great cultural and environmental significance to our First Nation. We are deeply committed to its preservation and strongly opposed to any resource development in the area. The North French watershed is 6,660 sq. km in size.

As you can see on the map, the North French lies within the heart of the Moose Cree Homelands. It is an area that remains free from the negative impacts from resource development and is one of our last pristine freshwater sources. To this day that we can still draw water from the river and drink directly from. It is an area of great cultural and environmental significance to the Moose Cree First Nation, and an area that must be protected for our future generations. From discussions with our esteemed elders and other knowledge holders, it is clear that the preservation of the watershed is paramount. It is a source of clean water, provides a healthy habitat for threatened boreal caribou and fisheries; is apart of the carbon storehouse within the area. But most of all, it's a place for our people to exercise our heritage activities that is fundamental to our continued well-being of our First Nation.

While Moose Cree now considers this area to be removed from potential development, we are conscious that the issue of formal long term protection should be addressed cooperatively. We request the federal government's support and cooperation in ensuring the removal of this area from potential development and its protection be fully formalized and communicated with proponents, the public and all governments. We have asked Ontario as an initial step to withdraw these lands from any mineral prospecting, staking, sale or lease. They have yet to act on this and as such are still encouraging mining here which we find deeply troublesome. We are concerned that Ontario intends to introduce on-line staking in 2017 which may bring new threats to our territory.

We understand that both Canada and Ontario have signed onto ambitious targets under the Convention of Biological Diversity to protect 17% of lands and inland waters by 2020. We strongly encourage the committee and all governments to work with Indigenous Peoples to reflect and respect their protected areas in these plans. We also look for your support to encourage Ontario to stop resource development in this watershed and to respect our indigenous led protected area here. Right now there is a gap that the provincial government has yet to respect our indigenous protected area and to stop development from occurring here. This is critical to working towards reconciliation with our people. Ontario has no formal mechanism in its laws to respect our protected area. Ontario also has no formal mechanism to respect our ongoing management in law of the management of any protected area. This needs to be fixed.

We recommend that you formally recognize our protected areas and that you work with us to ensure these areas are permanently protected as our people have said. The North French is one of several watersheds in our territory that require permanent protection. We will have more to say about other watersheds in the territory as our community members discuss them.

Indigenous peoples are leading the management and protection of their homelands in Canada. It is important that governments recognize this and work with us. Together we can not only meet these international targets but we can show leadership to the world.

Moose Cree have always been proactive in taking care of its homeland and their people. We have begun a land protection planning exercise with an emphasis on the protection of our resources. Over the years, we have carried out indigenous knowledge studies of the waters, caribou, and fish within the river systems. We have important bird areas in our homeland and have been surveying them for many years now.

We would like to say a final word about climate change and protected areas. We are deeply concerned by climate change and our people are calling on us to take action. We

see indigenous protected areas in our territory that overlap with the carbon rich Boreal Forest and Hudson Bay Lowlands as being an incredibly important tool to ensuring resilience of ecosystems in the face of a warming climate. We invite you to partner with us to build indigenous protected areas to meet international targets on biodiversity, to meet our ambitious climate change objectives and to achieve reconciliation with Indigenous peoples in Canada. We invite you to work with us.

Thank you for the opportunity to share our recommendations. We would be pleased to answer any questions you may have.





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October 16, 2016

Robert Calhoun  
Regional Supervisor, Northeast Region  
Mineral Exploration and Development  
Ministry of Northern Development and Mines  
Ontario Government Complex E-Wing  
P.O. Bag 3060, 5520 Hwy 101 East South Porcupine,  
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Dear Mr. Calhoun,

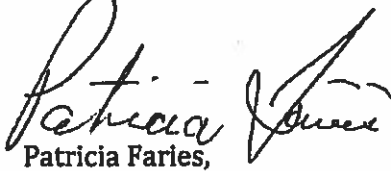
This is to inform you that the Moose Cree First Nation had advised Mr. Claude Dufresne, James Bay Niobay Inc. that we are opposed to the proposed initiative.

A project very similar to what is being proposed by this company was presented to the community. I have been informed that the active land users and community members present were unanimously opposed to the project at that time.

Furthermore, the original exploration conducted was done without consultation of any kind with the people of Moose Cree; therefore, I do not accept that as a premise for the company to proceed with any development of the site. Moose Cree First Nation does not recognize permit application PR-16-10977 or future authorization to develop a mine without our consent.

I ask that you respect our position in regards to this matter. Thank you.

Regards,

  
Patricia Faries,  
Chief