

INDIVIDUAL AGREEMENT
ON
FIRST NATION LAND MANAGEMENT

BETWEEN

FORT NELSON FIRST NATION

AND

HER MAJESTY THE QUEEN IN RIGHT OF CANADA

12
Q.C.

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THIS AGREEMENT made in duplicate this ____ day of _____, 20__.

**INDIVIDUAL AGREEMENT
ON
FIRST NATION LAND MANAGEMENT**

BETWEEN:

FORT NELSON FIRST NATION, as represented by their Chief and Council (hereinafter called the "Fort Nelson First Nation" or the "First Nation")

AND

HER MAJESTY THE QUEEN IN RIGHT OF CANADA, (hereinafter called "Canada") as represented by the Minister of Indigenous Services Canada (hereinafter called the "Minister")

(the "Parties")

WHEREAS the Framework Agreement on First Nation Land Management was signed by Canada and fourteen First Nations in 1996 (the "Framework Agreement") and was ratified and brought into effect by the *First Nations Land Management Act*, S.C. 1999, c. 24 (the "Act");

AND WHEREAS the First Nation has been added as a signatory to the Framework Agreement by an adhesion signed by the First Nation and Canada on May 4, 2016;

AND WHEREAS the First Nation and Canada wish to provide for the assumption by the First Nation of responsibility for the administration of Fort Nelson First Nation Land in accordance with the Framework Agreement and the Act;

AND WHEREAS clause 6.1 of the Framework Agreement and subsection 6(3) of the Act require the First Nation to enter into an individual agreement with the Minister for the purpose of providing for the specifics of the transfer of administration;

AND WHEREAS subsection 6(3) of the Act further requires that the individual agreement provide for the date and other terms of the transfer to the First Nation of Canada's rights and obligations as grantor of interests and licences in or in relation to the land, the environmental assessment process that will apply to projects until the enactment of applicable First Nation laws, and any other relevant matter;

AND WHEREAS clause 6.1 of the Framework Agreement further requires that the individual agreement settle the actual level of operational funding to be provided to the First Nation;

NOW THEREFORE, in consideration of the exchange of promises contained in this Agreement and subject to its terms and conditions, the Parties agree as follows:

1. INTERPRETATION

1.1 In this Agreement,

"Act" means the *First Nations Land Management Act*, S.C. 1999, c.24, as amended;

"this Agreement" means this Individual Agreement on First Nation Land Management, including the Annexes attached hereto, and any documents incorporated by reference, all as amended from time to time;

"Fort Nelson First Nation Land" means the land to which the Land Code will apply and more specifically means the reserves known as Fontas Indian Reserve No. 1 (06951), Fort Nelson Indian Reserve No. 2 (06952), Kahntah Indian Reserve No. 3 (06953) and Snake Indian Reserve No. 5 (06954) as described in the Land Description Report(s) referred to in Annex "G" and includes all the interests in and resources of the land that are within the legislative authority of Parliament;

"Fiscal Year" means Canada's fiscal year as defined in the *Financial Administration Act*, R.S.C. 1985, c. F-11, as amended;

"Framework Agreement" has the same meaning as in the Act;

"Funding Arrangement" means an agreement between Canada and the Fort Nelson First Nation, or between Canada and a Tribal Council of which the First Nation is a member, for the purpose of providing funding, during the Fiscal Year(s) identified in that agreement, for the programs and services referred to in that agreement;

"*Indian Act*" means the *Indian Act*, R.S.C. 1985, c. I-5, as amended;

"Land Code" means the Fort Nelson First Nation Land Code, developed in accordance with clause 5 of the Framework Agreement and section 6 of the Act;

"Minister" means the Minister of Indigenous Services Canada and his or her duly authorized representatives;

"Operational Funding" means the resources to be provided by Canada to the Fort Nelson First Nation pursuant to clause 30.1 of the Framework Agreement to manage First Nation lands and make, administer and enforce its laws under



a land code, and includes financial resources, as described in clause 27 of the Framework Agreement, to establish and maintain environmental assessment and environmental protection regimes;

"Operational Funding Formula" means the method approved by Canada for allocating to First Nations such Operational Funding as may have been appropriated by Parliament for that purpose.

- 1.2 Unless the context otherwise requires, words and expressions defined in the Framework Agreement, the Act or the *Indian Act* have the same meanings when used in this Agreement.
- 1.3 This Agreement is to be interpreted in a manner that is consistent with the Framework Agreement and the Act.
- 1.4 In the event of any inconsistency or conflict between the wording in any Article set out in the main body of this Agreement and the wording in any Annex attached hereto, the wording set out in the Article shall prevail.

2. INFORMATION PROVIDED BY CANADA

- 2.1 The Minister has, to the best of the Minister's knowledge, provided the First Nation with the information required by clause 6.3 of the Framework Agreement, namely:
 - (a) a list, attached as Annex "C", and copies, or access to copies, of all the interests and licences granted by Canada in or in relation to the Fort Nelson First Nation Land that are recorded in the Reserve Land Register and the Surrendered and Designated Lands Register;
 - (b) a list, attached as Annex "D", and copies of all existing information in Canada's possession, respecting any actual or potential environmental problems with the Fort Nelson First Nation Land; and
 - (c) a list, attached as Annex "E", and copies of any other information in Canada's possession that materially affects the interests and licences mentioned in clause 2.1(a).
- 2.2 The First Nation has, in writing, acknowledged receipt of all the information provided to it by the Minister.

3. TRANSFER OF LAND ADMINISTRATION

- 3.1 The Parties acknowledge that, as of the date the Land Code comes into force, the First Nation shall have the power to manage the Fort Nelson First Nation Land in accordance with section 18 of the Act and clause 12 of the Framework

Agreement.

- 3.2 As provided in subsection 16(3) of the Act, all of the rights and obligations of Canada as grantor in respect of the interests and licences in or in relation to Fort Nelson First Nation Land that exist on the coming into force of the Land Code shall be transferred to the First Nation on the coming into force of the Land Code.
- 3.3 As of the date the Land Code comes into force, the First Nation shall be responsible for, among other responsibilities identified in this Agreement, the Framework Agreement and the Act, the following:
- (a) the collection of all rents and other amounts owing, payable or accruing pursuant to any instrument granting an interest or a licence in or in relation to Fort Nelson First Nation Land; and
 - (b) the exercise of any power and authorities, and performance of any covenants, terms and conditions, under the instruments referred to in paragraph (a) which, but for the transfer, would have been Canada's responsibility.
- 3.4 The Parties acknowledge that the transfer of administration referred to in this Agreement is subject to section 39 of the Act, which addresses the applicability of the *Indian Oil and Gas Act*.

4. ACCEPTANCE OF TRANSFER OF LAND ADMINISTRATION

- 4.1 The First Nation hereby accepts the transfer of land administration described in Article 3 of this Agreement, including, without limitation, the transfer of all the rights and obligations of Canada as grantor of the interests and licences referred to in clause 3.2 of this Agreement.
- 4.2 As of the date the Land Code comes into force, and in accordance with the Framework Agreement and section 18 of the Act:
- (a) the land management provisions of the *Indian Act*, as listed in clause 21 of the Framework Agreement and section 38 of the Act, cease to apply and Canada retains no powers and obligations in relation to Fort Nelson First Nation Land under these provisions; and
 - (b) the First Nation shall commence administering Fort Nelson First Nation Land pursuant to its Land Code.

5. OPERATIONAL FUNDING

- 5.1 In accordance with clause 30.1 of the Framework Agreement, and subject to appropriation by Parliament and the approval of the Treasury Board of Canada, Canada shall provide Operational Funding to the Fort Nelson First Nation as indicated in Annex "A" in accordance with the Operational Funding Formula as amended from time to time.
- 5.2 The Operational Funding referred to in clause 5.1 will be incorporated by the Parties into the Fort Nelson First Nation's Funding Arrangement in effect in the year in which the payment is to be made. For greater certainty, payment of Operational Funding will be subject to the terms and conditions of the Funding Arrangement into which it is incorporated.

6. TRANSFER OF MONEYS

- 6.1 Following the date that the Land Code comes into force, Canada shall transfer the revenue and capital moneys referred to in section 19 of the Act and clause 12.8 of the Framework Agreement to the First Nation in accordance with the provisions set out in Annex "B".
- 6.2 Revenue and capital moneys transferred pursuant to clause 6.1 shall be deposited in the First Nation's account at such financial institution as the First Nation may direct by notice in writing.
- 6.3 For greater certainty, the transfer of the revenue and capital moneys does not release the First Nation from its commitment to reimburse Canada for any amount paid as a result of a default under any loan entered into by the First Nation or any of its members and guaranteed by Canada in accordance with the terms and conditions relating to ministerial loan guarantees.

7. NOTICE TO THIRD PARTIES OF TRANSFER OF ADMINISTRATION

- 7.1 Immediately following approval of the Land Code and this Agreement by the members of the First Nation, the First Nation shall give written notice (the "Notice of Transfer of Administration"), by registered mail, to each holder of an interest or a licence in or in relation to Fort Nelson First Nation Land that is listed or referred to in Annex "C".
- 7.2 The Notice of Transfer of Administration shall state that:
- (a) the administration of Fort Nelson First Nation Land and Canada's rights in Fort Nelson First Nation Land, other than title, will be transferred to the First Nation effective the date the Land Code comes into force;
 - (b) the holder of the interest or licence shall pay to the First Nation, all amounts owing, payable or due under the interest or licence on or after

that date; and

- (c) as of that date, the First Nation shall be responsible for the exercise of the powers and authorities, and the performance of any covenants, terms and conditions, under that instrument which, but for the transfer of administration, would have been Canada's responsibility.

7.3 The Fort Nelson First Nation shall deliver to Canada a copy of every Notice of Transfer of Administration and a copy of every acknowledgement of receipt of the Notice of Transfer of Administration received by the First Nation within 30 days of the issuance or receipt of the same.

7.4 The Notice obligations set out in this Article do not apply in respect of a holder of an interest or licence who is a member of the First Nation.

8. INTERIM ENVIRONMENTAL ASSESSMENT PROCESS

8.1 As of the date the Land Code comes into force, the environmental assessment process set out in Annex "F" shall apply to projects on Fort Nelson First Nation Land until the First Nation's environmental assessment process is developed.

9. AMENDMENTS

9.1 This Agreement may be amended by agreement of the Parties.

9.2 Any amendment to this Agreement shall be in writing and executed by the duly authorized representatives of the Parties.

10. NOTICES BETWEEN THE PARTIES

10.1 Any notice or other official communication under this Agreement between the Parties shall be in writing addressed to the Party for whom it is intended.

10.2 The notice referred to in clause 10.1 shall be effective using any one of the following methods and shall be deemed to have been given as at the date specified for each method:

- (a) by personal delivery, on the date upon which notice is delivered;
- (b) by registered mail or courier, the date upon which receipt of the notice is acknowledged by the other party; or
- (c) by facsimile or electronic mail, the date upon which the notice is transmitted and receipt of such transmission by the other party can be confirmed or deemed.

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10.3 The addresses of the Parties for the purpose of any notice or other official communication are:

Canada:

Director, Lands and Economic Development
Indigenous Services Canada, BC Region
1138 Melville Street, Suite 600
Vancouver, BC V6E 4S3

Facsimile: (604) 775-7149

Fort Nelson First Nation:

Chief and Council
Mile 295 Alaska Hwy, RR1
Fort Nelson, BC V0C 1R0

Facsimile: (250) 774-7260

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11. DISPUTE RESOLUTION

- 11.1 For greater certainty, any dispute arising from the implementation, application or administration of this Agreement may be resolved in accordance with the Dispute Resolution provisions set out in Part IX of the Framework Agreement.

12. DATE OF COMING INTO FORCE

- 12.1 The Parties acknowledge that the members of the First Nation have voted to approve the Land Code and this Agreement in accordance with the Framework Agreement and the Act.
- 12.2 This Agreement shall be effective as of the date on which the last of the Parties signs this Agreement.
- 12.3 The Parties acknowledge that the signing of this Agreement alone does not bring the Land Code into force, and that the First Nation is not an operational First Nation under First Nation Land Management until the Land Code comes into force in accordance with the provisions of the Land Code, the Framework Agreement and the Act.

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IN WITNESS WHEREOF, the duly authorized representatives of the First Nation have signed this Agreement on behalf of the First Nation on _____, 20__, and the Minister of Indigenous Services Canada has signed this Agreement on behalf of Her Majesty the Queen in right of Canada, on _____, 20__.

Her Majesty the Queen in right of Canada,
as represented by the Minister of Indigenous
Services Canada

Fort Nelson First Nation

Chief Sharleen Nina Gale

Allyson Rowe, Regional Director
General, BC Region, for the Minister of
Indigenous Services Canada

Councillor Lycrecia Adin

Councillor Harvey Behn

Councillor Cynthia Burke

Councillor Patricia Capot-Blanc

Councillor Aaron Dendys

Councillor Roberta Dendys



ANNEX "A"

FUNDING PROVIDED BY CANADA

- (a) The amount of Operational Funding by Fiscal Year is shown in the table below. The amount shall be prorated based on the number of months from the date the Land Code comes into force to the end of the Fiscal Year, and the First Nation shall be paid the prorated amount for that year. Transitional Funding will be provided for the year the Land Code comes into force and for the subsequent Fiscal Year, as shown in the table below.
- (b) Operational Funding will increase 1% annually over the term of the Memorandum of Understanding.
- (c) Subject to appropriation by Parliament and the approval of the Treasury Board of Canada, Operational Funding for Fiscal Years after March 31, 2023, will be calculated and provided in accordance with the Operational Funding Formula as amended from time to time.

OPERATIONAL FUNDING	
2022-2023 Fiscal Year	\$283,313.00 (This amount shall be prorated in accordance with paragraph (a) above) and \$75,000.00 - One time Transitional Funding per 1 st Fiscal Year
Subsequent Fiscal Year(s)	Subject to paragraph (c) above, Operational Funding will be calculated and paid each Fiscal Year based on the Operational Funding Formula as amended from time to time.



ANNEX "B"

DETAILS FOR THE TRANSFER OF MONEYS

1. As of the 7th day of July, 2022, Canada is holding \$317,502.01 of revenue moneys and \$9,593,605.82 of capital moneys for the use and benefit of the First Nation or its members. This amount is included for information purposes only and is subject to change.
2. **Initial Transfer.** Within thirty (30) days of the Land Code coming into force, Canada shall transfer to the First Nation all revenue and capital moneys collected, received or held by Canada for the use and benefit of the First Nation or its members.
3. **Subsequent Transfers.** Following an initial transfer of moneys, Canada shall, on a semi-annual basis, transfer to the First Nation all revenue and capital moneys that are subsequently collected or received by Canada for the use and benefit of the First Nation or its members. The first such subsequent transfer shall be made in the month of April or October, whichever month comes first after the month of the initial transfer.



ANNEX "C"

LIST OF INTERESTS AND LICENCES GRANTED BY CANADA

All interests and licences granted by Canada in or in relation to the Fort Nelson First Nation Land that are recorded in the Reserve Land Register and the Surrendered and Designated Lands Register are listed in reports that are available for review at the Fort Nelson First Nation Land Management Office located at Mile 295 Alaska Hwy, RR 1, Fort Nelson, BC, V0C 1R0:

Reserve General Abstract Reports for:

- Fontas Indian Reserve No. 1 (06951)
- Fort Nelson Indian Reserve No. 2 (06952)
- Kahntah Indian Reserve No. 3 (06953)
- Snake Indian Reserve No. 5 (06954)

Lawful Possessors Reports for:

- Nil

Lease or Permits Reports for:

- Fort Nelson Indian Reserve No. 2 (06970)

The above reports identify all interests or licences granted by Canada that are registered in the Indian Lands Registry System (ILRS). The following is a list of interests granted by Canada that have not been registered or are pending registration in the ILRS. Copies of these interests shall be provided to the First Nation.

Instrument: Gravel Permit. Granted under Sections 28(2), 58(4)(b) and 93 of the *Indian Act*.

Purpose: Renewal of Permit No. 1-543-06952 (2013-2018) on Fort Nelson Indian Reserve No. 2, Registration No. 6076584

Status: Fort Nelson First Nation is working on a new gravel permit on Fort Nelson Indian Reserve No. 2 within the same permit area as Permit No. 1-543-06952 (2013-2018)



ANNEX "D"

LIST OF ALL EXISTING INFORMATION IN CANADA'S POSSESSION RESPECTING ANY ACTUAL OR POTENTIAL ENVIRONMENTAL PROBLEMS WITH THE FORT NELSON FIRST NATION LANDS

The complete Phase 1 and Phase II/III Environmental Site Assessment reports are available for review at the Fort Nelson First Nation Land Management Office located at Fort Nelson First Nation Land Management Office located at Mile 295 Alaska Hwy, RR 1, Fort Nelson, BC, V0C 1R0:

Executive Summary - Phase I Environmental Site Assessment for Fort Nelson First Nation, Fort Nelson I.R. No. 2, Snake River I.R. No. 5, Fontas I.R. No. 1 and Kahntah I.R. No. 3, prepared by SynergyAspen dated March 22, 2017.

Executive Summary - Phase I Environmental Site Assessment Addendum for Fort Nelson First Nation, Fort Nelson I.R. No. 2, prepared by SynergyAspen dated October 2, 2017.

Executive Summary - Phase I Environmental Site Assessment Update for Fort Nelson First Nation, Fort Nelson I.R. No. 2, Snake River I.R. No. 5, Fontas I.R. No. 1 and Kahntah I.R. No. 3, prepared by SynergyAspen dated September 14, 2021.





PHASE I ENVIRONMENTAL SITE ASSESSMENT

FORT NELSON FIRST NATION:

Fort Nelson I.R. No. 2

Snake River I.R. No. 5

Fontas I.R. No. 1

Kahntah I.R. No. 3

Prepared for:
Fort Nelson First Nation and
Indigenous & Northern Affairs Canada

SYNERGYASPEN PROJECT No. FTN6094

March 22, 2017

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EXECUTIVE SUMMARY

SynergyAspen Environmental Inc. (SynergyAspen) was retained by the Fort Nelson First Nation (FNFN) and Indigenous and Northern Affairs Canada (INAC), who together form the Joint Management Committee (JMC), to conduct a Phase I Environmental Site Assessment (ESA) at the Fort Nelson Indian Reserve (IR) No. 2 (including the Main Fort Nelson Reserve, Moose Lake Reserve, Francois Reserve and Maxhamish Lake Reserve), the Snake River IR No. 5, the Fontas IR No. 1 and the Kahntah IR No. 3 Reserves, all located in northeastern British Columbia.

This Phase I ESA was undertaken to identify past and present land uses on the Site and surrounding lands and to identify areas of potential environmental concern (APECs) at the Site and associated potential contaminants of concern (PCOCs) related to these land uses that may potentially have had an impact on the Site.

Based on SynergyAspen's review of historical and current documentation, historical and current activities at the Site and surrounding properties, an interview program and a Site inspection, SynergyAspen has identified the following APECs (see Table below) for the Fort Nelson IR No. 2 Main Reserve, Francois Reserve, Fontas Reserve and Kahntah Reserve. No APECs were identified for the Moose Lake Reserve, Maxhamish Lake Reserve and the Snake River Reserve.

APEC List Fort Nelson IR No. 2 - Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
1	Kyla's Gas Bar	1536374.269/ 1193188.729	7000098898	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	High	Soil & Groundwater Investigation of UST and AST areas
2	Nee-Zoo Gas & Convenience	1533669.139/ 1192648.004	-	Potential	Gasoline	F1, F2, BTEXS	Moderate to High	Soil & Groundwater Investigation of AST area
3	Dene Gas	1536849.593/ 1193051.353	-	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Moderate to High	Soil & Groundwater Investigation of AST area
4	Noagha Enterprises	1537031.938/ 1193631.297	0903251107	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Moderate	Soil investigation of AST area
5	AST at 2021 Kennay-Yah Rd.	1536408.613/ 1193134.160	-	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Low to Moderate	Soil investigation of AST area
6	Visha Contracting Limited	1536921.764/ 1193186.101	-	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Moderate	Soil investigation of AST area
7	Mechanic Shop at 1221 Sikanni Rd.	1536974.152/ 1194773.679	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Low to Moderate	Soil & Groundwater Investigation proximate interior drain and at buried waste collection drum
8	AST at 4012 Fontas Road	1533618.094/ 1193479.009	-	Potential	Petroleum hydrocarbons (unknown type)	F1, F2, F3, F4, BTEXS, PAHs	Low to Moderate	Soil investigation of historic AST area
9	AST at 1325 Corcoran Place	1537252.876/ 1195710.685	-	Potential	Petroleum hydrocarbons (unknown type)	F1, F2, F3, F4, BTEXS, PAHs	Low to Moderate	Soil investigation of historic AST area
10	3000 Muskwa Road	1533439.808/ 1192619.917	-	Potential	Storage containers of petroleum hydrocarbons & associated staining	F1, F2, F3, F4, BTEXS, PAHs	Moderate	Soil investigation of storage and staining area
11	Archie's Auto Wrecking & Towing	1535719.510/ 1192900.950	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	High	Soil & Groundwater Investigation across majority of the property
12	Historic Dumping at Current Location of Archie's Auto Wrecking & Towing	1535719.510/ 1192900.950	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil & Groundwater Investigation across majority of the property
13	Gravel Pit #1	1537221.982/ 1196555.508	-	Potential	Gasoline, diesel, waste oils, glycols,	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols,	Moderate	Soil investigation at select locations based on field

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APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
					metals, solvents	Metals		observations
14	Gravel Pit #2	1535406.255/ 1195520.424	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation at select locations based on field observations
15	Gravel Pit #3	1535330.496/ 1196249.201	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation at select locations based on field observations
16	Gravel Pit #4	1534388.389/ 1194131.826	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate to High	Soil Investigation at select locations based on field observations
17	Former Landfill on Reserve	1536239.107/ 1193118.032	-	Potential	General debris, likely including chemicals & petroleum hydrocarbons	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate to High	Soil & Groundwater Investigation across the Landfill area
18	Capital Works Warehouse Yard	1533699.024/ 1192713.308	7000058695	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents, PCBs	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil & Groundwater Investigation at chemical storage locations
19	Catchbasin Disposal Area (Wetland East of Capital Works Building)	1533636.221/ 1192737.181	-	Potential	Waste fluids disposed or spilled into interior catchbasin	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil & Groundwater Investigation proximate catchbasin (interior) and at disposal area (wetland)
20	Salt/Sand/Gravel Pile at Capital Works	1533698.583/ 1192675.377	-	Potential	Salt	Salinity Parameters	Moderate	Soil & Groundwater Investigation immediate to salt/sand/gravel.
21	Army Waste Dump	1534024.261/ 1192737.456	7000058895	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents, PCBs, DDT	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals, DDT	High	Soil & Groundwater Investigation across dump area.
22	Buried Army Vehicle	1536268.096/ 1193339.364	-	Potential	Gasoline, diesel, waste oils, glycols, metals	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals	Moderate	Soil Investigation of area
23	Southwest Portion of Reserve: Unknown Quality Fill	1533389.944/ 1192587.020	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation of fill
24	Historic Beehive Burner on Southern Portion of	1533368.340/ 1194783.052	-	Potential	Gasoline, diesel, waste oils, lubes,	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals	Moderate	Soil Investigation in area of beehive burner

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APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
	Reserve				solvents			
25	Creosote Ties and Bridge Beams Near Farm Entrance	1532980.659/ 1195378.203	-	Potential	Creosote in ties and beams	F3, F4, PAHs, Phenol, Creosols	Low to Moderate	Soil Investigation Immediate to creosote ties and beams
26	Historic Sawmill located in northern portion of Reserve	1540167.377/ 1198591.341	-	Potential	Gasoline, diesel, waste oils, lubes, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals	Moderate	Soil Investigation in area of reported activities
27	Disposal of Drilling Waste on Reserve Roads	Various locations (see Section 5.1.19)	-	Potential	Petroleum hydrocarbons, drilling mud & additives and produced water	F1, F2, F3, F4, BTEXS, PAHs, Metals, Salinity	Moderate	Soil Investigation in select areas of suspect disposal

APEC List On & Off Reserve Oil & Gas Lease Sites for Fort Nelson IR No. 2 - Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
28	Oil & Gas Site: B-018-D/094-J-16, B-A018-D/094-J-16 & B-B018-D/094-J-16	1535808.05/ 1204120.74	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
29	Oil & Gas Site: B-010-D/094-J-16	1534747.42/ 1204124.92	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
30	Oil & Gas Site: D-010-A/094-J-15	1534851.29/ 1195671.33	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
31	Oil & Gas Site: A-010-D/094-J-16	1534673.72/ 1203010.57	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
32	Oil & Gas Site: A-030-A/094-J-15	1536284.96/ 1195793.66	7000073196	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
33	Oil & Gas Site:	1537594.17/ 1203010.57	-	Potential	Petroleum	F1, F2, F3, F4,	Moderate to	Soil & groundwater Investigation

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APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
	D- 040-A/094-J-15 & D- A040-A/094-J-15	1195508.99			hydrocarbons, glycols, drilling mud & additives, produced water	BTEXS, PAHs, Glycols, Metals, Salinity	High	at well centre and other areas of concern (e.g. sump, flare pit)
34	Oil & Gas Site: B- 008-D/094-J-16	1534831.86/ 1204116.25	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
35	Oil & Gas Site: A- 029-A/094-J-15	1536310.33/ 1196345.28	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
36	Oil & Gas Site: A- 005-A/094-J-15	1534742.03/ 1199443.47	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
37	Oil & Gas Site: C- 096-J/094-J-10	1534266.78/ 1198500.6	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
Off-Reserve APEC – FNFN IR No. 2 Main Reserve								
38	Oil & Gas Site: C- 091-J/094-J-10	1534359.93/ 1202037.54	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)

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APEC List for Francois, Fontas and Kahntah Reserves

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
Fr-1	Francois Waste Dump	1654235.625/ 1171552.490	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
Fon-1	Fontas Waste Dump #1	1485152.784/ 1250429.932	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
Fon-2	Fontas Waste Dump #2	14851753046/ 1250554.514	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
Ka-1	Kahntah Waste Dump	1496459.907/ 1297795.575	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.

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**PHASE I ENVIRONMENTAL SITE ASSESSMENT
ADDENDUM**

**FORT NELSON FIRST NATION:
Fort Nelson I.R. No. 2**

**Prepared for:
Fort Nelson First Nation and
Indigenous & Northern Affairs Canada**

SYNERGYASPEN PROJECT No. FTN6094-Addendum

October 2, 2017

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EXECUTIVE SUMMARY

SynergyAspen Environmental Inc. (SynergyAspen) was retained by the Fort Nelson First Nation (FNFN) and Indigenous and Northern Affairs Canada (INAC), who together form the Joint Management Committee (JMC), to conduct an addendum to a Phase I Environmental Site Assessment (ESA) at the Fort Nelson Indian Reserve (IR) No. 2.

Due to the snow cover and other circumstances encountered during Initial Phase I ESA, additional Site Inspections at a later date were recommended to determine the environmental liability of select locations on the Reserve, as outlined within the March 22, 2017 Phase I ESA.

This Phase I ESA Addendum (Addendum) was undertaken to identify areas of potential environmental concern (APECs) and the potential contaminants of concern (PCOCs) related to these land uses.

Based on SynergyAspen's additional Site Inspections, SynergyAspen has identified three (3) additional APECs (see Table below) at the Fort Nelson IR No. 2 Main Reserve.

Addendum APEC List Fort Nelson IR No. 2 - Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommend Action
39	5012 Dene Etene Road	1534270.604/ 1193337.032	*	Potential	Automotive fluids	F1, F2, F3, I-4, BTEXS, PAHs, Glycols	Low to Moderate	Soil investigation proximate vehicles
40	4009 Fontas Road	1533690.676/ 1193370.040	*	Potential	Automotive fluids	F1, F2, F3, I-4, BTEXS, PAHs, Glycols	Low to Moderate	Soil investigation proximate vehicles

Note: APEC numbering continued from March 22, 2017 Phase I ESA

Addendum APEC List for Oil & Gas Lease Site for Fort Nelson IR No. 2 - Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommend Action
41	Unknown Oil & Gas Well Site	1536360.876/ 1195565.268	*	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater investigation at well centre and other areas of concern (e.g. sump, flare pit)

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PHASE I ENVIRONMENTAL SITE ASSESSMENT UPDATE

FORT NELSON FIRST NATION:

Fort Nelson I.R. No. 2

Snake River I.R. No. 5

Fontas I.R. No. 1

Kahntah I.R. No. 3

**Prepared for:
Fort Nelson First Nation and
Indigenous Services Canada**

SYNERGYASPEN PROJECT No. FTN6094

September 14, 2021

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EXECUTIVE SUMMARY

SynergyAspen Environmental Inc. (SynergyAspen) was retained by the Fort Nelson First Nation (FNFN) and Indigenous Services Canada (ISC), who together form the Joint Management Committee (JMC), to conduct an update to the Phase I Environmental Site Assessment Report completed in 2017 (2017 Phase I ESA) and the Addendum to the Phase I ESA completed in 2017 (Addendum) at the Fort Nelson Indian Reserve (IR) No. 2 (including the Main Fort Nelson Reserve, Moose Lake Reserve, Francois Reserve and Maxhamish Lake Reserve), the Snake River IR No. 5, the Fontas IR No. 1 and the Kahntah IR No. 3 Reserves, all located in northeastern British Columbia.

This Phase I ESA Update was undertaken to identify areas of potential environmental concern (APECs) at the Site and associated potential contaminants of concern (PCOCs) related to these land uses that may potentially have had an impact on the Site since the 2017 SynergyAspen Environmental Phase I ESA and Addendum.

Based on SynergyAspen's review of available documentation, current activities at the Site and surrounding properties, an interview program, and a Site inspection, SynergyAspen has identified the current status of the Phase I ESA APECs, the Addendum and any additional APECs identified during the 2021 Update Phase I ESA (see Table below) for the Fort Nelson IR No. 2 Main Reserve, Francois Reserve, Fontas Reserve and Kahntah Reserve. No APECs were identified for the Moose Lake Reserve, Maxhamish Lake Reserve, and the Snake River Reserve.

It should be noted that the 2021 Phase I ESA Update report should be read in conjunction with the 2017 Phase I ESA and Addendum.

Table A: 2017 APEC List and 2021 APEC Status Update Fort Nelson IR No. 2 - Main Reserve

Grey Shading: Indicates the 2021 Status of 2017 APECs								
APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
1	Kyla's Gas Bar	1536374.269/ 1193188.729	7000098898	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	High	Soil & Groundwater Investigation of UST and AST areas
2	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	Nee-Zoo Gas & Convenience	1533669.439/ 1192648.004	-	Potential	Gasoline	F1, F2, BTEXS	Moderate to High	Soil & Groundwater Investigation of AST area
3	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	Dene Gas	1536849.593/ 1193051.353	-	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Moderate to High	Soil & Groundwater Investigation of AST area
4	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	Noagha Enterprises	1537031.938/ 1193631.297	0903251107	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Moderate	Soil Investigation of AST area
5	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	AST at 2021 Kennay-Yah Rd.	1536408.613/ 1193134.160	-	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Low to Moderate	Soil Investigation of AST area
6	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	Visha Contracting Limited	1536921.764/ 1193186.101	-	Potential	Gasoline and diesel	F1, F2, F3, BTEXS, PAHs	Moderate	Soil Investigation of AST area
7	A thorough Site inspection was not performed as Site access was not granted at the time of the field inspection. Through the assessment of aerial images (see Appendix II), the interview program and peripheral view (see Photo 13), it was determined that activities have intensified on the Site and as such, there is the potential for additional APECs on the Site. A detailed Site inspection would need to be performed in order to determine the location of additional APECs and PCOCs at Visha Contracting.							
	Mechanic Shop at 1221 Sikanni Rd.	1536974.152/ 1194773.679	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Low to Moderate	Soil & Groundwater Investigation proximate interior drain and at buried waste collection drum
8	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	AST at 4012 Fontas Road	1533618.094/ 1193479.009	-	Potential	Petroleum hydrocarbons (unknown type)	F1, F2, F3, F4, BTEXS, PAHs	Low to Moderate	Soil Investigation of historic AST area
9	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
	AST at 1325 Corcoran Place	1537252.876/ 1195710.685	-	Potential	Petroleum hydrocarbons (unknown type)	F1, F2, F3, F4, BTEXS, PAHs	Low to Moderate	Soil Investigation of historic AST area

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Grey Shading: Indicates the 2021 Status of 2017 APECs								
APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
10	3000 Muskwa Road	1533439.808/ 1192619.917	-	Potential	Storage containers of petroleum hydrocarbons & associated staining	F1, F2, F3, F4, BTEXS, PAHs	Moderate	Soil Investigation of storage and staining area
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
11	Archie's Auto Wrecking & Towing	1535719.510/ 1192900.950	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	High	Soil & Groundwater Investigation across majority of the property
	Review of aerial images suggested that activities have increased and as such there is the potential for additional APECs on the Site. A detailed Site inspection would need to be performed in order to determine the precise location of all APECs and PCOCs at Archie's.							
12	Historic Dumping at Current Location of Archie's Auto Wrecking & Towing	1535719.510/ 1192900.950	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil & Groundwater Investigation across majority of the property
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
13	Gravel Pit #1	1537221.982/ 1196555.508	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation at select locations based on field observations
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
14	Gravel Pit #2	1535406.255/ 1196520.424	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation at select locations based on field observations
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
15	Gravel Pit #3	1535330.496/ 1196249.201	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation at select locations based on field observations
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
16	Gravel Pit #4	1534388.389/ 1194131.826	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate to High	Soil Investigation at select locations based on field observations
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
17	Former Landfill on Reserve	1536239.107/ 1193118.032	-	Potential	General debris, likely including chemicals & petroleum hydrocarbons	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate to High	Soil & Groundwater Investigation across the Landfill area

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Grey Shading: Indicates the 2021 Status of 2017 APECs									
APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action	
18	No substantial changes from the 2017 Phase I ESA – APECs remain the same								
	Capital Works Warehouse Yard	1533699.024/ 1192713.308	7000058695	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents, PCBs	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil & Groundwater Investigation at chemical storage locations	
	No substantial changes from the 2017 Phase I ESA – APECs remain the same								
19	Catchbasin Disposal Area (Wetland East of Capital Works Building)	1533636.221/ 1192737.181	-	Potential	Waste fluids disposed or spilled into interior catchbasin	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil & Groundwater Investigation proximate catchbasin (interior) and at disposal area (wetland)	
	No substantial changes from the 2017 Phase I ESA – APECs remain the same								
20	Salt/Sand/Gravel Pile at Capital Works	1533698.583/ 1192675.377	-	Potential	Salt	Salinity Parameters	Moderate	Soil & Groundwater Investigation immediate to salt/sand/gravel.	
	No substantial changes from the 2017 Phase I ESA – APECs remain the same								
21	Army Waste Dump	1534024.261/ 1192737.456	7000058895	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents, PCBs, DDT	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals, DDT	High	Soil & Groundwater Investigation across dump area.	
	Remediation is planned for the fall of 2021, by SynergyAspen Environmental.								
22	Buried Army Vehicle	1536268.096/ 1193339.364	-	Potential	Gasoline, diesel, waste oils, glycols, metals	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals	Moderate	no further environmental work is required at APEC #22 Buried Vehicle.	
	SynergyAspen Environmental conducted a Phase II/III Environmental Site Assessment (Phase II/III ESA) in 2018 and it was determined that the Site does not pose an environmental risk. Please refer to this report for additional information.								
23	Southwest Portion of Reserve: Unknown Quality Fill	1533389.944/ 1192587.020	-	Potential	Gasoline, diesel, waste oils, glycols, metals, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Glycols, Metals	Moderate	Soil Investigation of fill	
	No substantial changes from the 2017 Phase I ESA – APECs remain the same								
24	Historic Beehive Burner on Southern Portion of Reserve	1533368.340/ 1194783.052	-	Potential	Gasoline, diesel, waste oils, lubes, solvents	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals	Moderate	Soil Investigation in area of beehive burner	



Grey Shading: Indicates the 2021 Status of 2017 APECs						
APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same					
25	Creosote Ties and Bridge Beams Near Farm Entrance	1532980.659/ 1195378.203	-	Potential	Creosote in ties and beams	F3, F4, PAHs, Phenol, Creosols
	Soil Investigation immediate to creosote ties and beams					
26	Historic Sawmill located in northern portion of Reserve	1540167.377/ 1198591.341	-	Potential	Gasoline, diesel, waste oils, lubes, solvents	F1, F2, F3, F4, BTEXs, PAHs, VOCs, Metals
	Soil Investigation in area of reported activities					
27	Disposal of Drilling Waste on Reserve Roads	Various locations (see Section 5.1.19)	-	Potential	Petroleum hydrocarbons, drilling mud & additives and produced water	F1, F2, F3, F4, BTEXs, PAHs, Metals, Salinity
	Soil Investigation in select areas of suspect disposal					
	No substantial changes from the 2017 Phase I ESA – APECs remain the same					

Table B: 2017 APEC List On & Off Reserve Oil & Gas Lease Sites for Fort Nelson IR No. 2 – Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
28	Oil & Gas Site: B-018-D/094-J-16, B-A018-D/094-J-16 & B-B018-D/094-J-16	1535808.05/ 1204120.74	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXs, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
29	Oil & Gas Site: B-010-D/094-J-16	1534747.42/ 1204124.92	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXs, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
30	Oil & Gas Site: D-010-A/094-J-15	1534851.29/ 1195671.33	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXs, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							

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APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
31	Oil & Gas Site: A-010-D/094-J-16	1534673.72/ 1203010.57	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
32	Oil & Gas Site: A-030-A/094-J-15	1536284.96/ 1195793.66	7000073196	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	Five groundwater monitoring wells are on-site. SynergyAspen Environmental conducted a Supplemental Site Investigation (SSI) in the summer of 2021.							
33	Oil & Gas Site: D-040-A/094-J-15 & D-A040-A/094-J-15	1537594.17/ 1195508.99	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No known changes from the 2017 Phase I ESA – APECs remain the same							
34	Oil & Gas Site: B-008-D/094-J-16	1534831.86/ 1204116.25	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
35	Oil & Gas Site: A-029-A/094-J-15	1536310.33/ 1196345.28	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
36	Oil & Gas Site: A-005-A/094-J-15	1534742.03/ 1199443.47	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
37	Oil & Gas Site: C-096-I/094-J-10	1534266.78/ 1198500.6	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)

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APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
	Site appeared to have had decommissioning activities on the Site in the recent past. Information regarding the work carried out on the Site could not be obtained in the allotted time and budget for the Phase I ESA Update.							
Off-Reserve APEC – FNFN IR No. 2 Main Reserve								
38	Oil & Gas Site: C- 091-I/094-J-10	1534359.93/ 1202037.54	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							

Table C: 2017 APEC List for Francois, Fontas and Kahntah Reserves

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommended Action
Fr-1	Francois Waste Dump	1654235.625/ 1121552.490	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
Fon-1	Fontas Waste Dump #1	1485152.784/ 1250429.932	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
Fon-2	Fontas Waste Dump #2	14851753946/ 1250554.514	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							
Ka-1	Kahntah Waste Dump	1496459.907/ 1297795.575	-	Potential	Unknown contents, possibly including fuels and oils	F1, F2, F3, F4, BTEXS, PAHs, VOCs, Metals, Glycols	Moderate	Soil investigation in area of waste dump.
	No substantial changes from the 2017 Phase I ESA – APECs remain the same							

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Table D: 2017 Addendum APEC List Fort Nelson IR No. 2 – Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommend Action
39	5012 Dene Etene Road	1534270.606/ 1193337.032	-	Potential	Automotive fluids	F1, F2, F3, F4, BTEXS, PAHs, Glycols	Low to Moderate	Soil investigation proximate vehicles
No substantial changes from the 2017 Phase I ESA – APECs remain the same								
40	4009 Fontas Road	1533690.676/ 1193370.040	-	Potential	Automotive fluids	F1, F2, F3, F4, BTEXS, PAHs, Glycols	Low to Moderate	Soil investigation proximate vehicles
No substantial changes from the 2017 Phase I ESA – APECs remain the same								

Table E: 2017 Addendum APEC List for Oil & Gas Lease Site for Fort Nelson IR No. 2 – Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommend Action
41	Unknown Oil & Gas Well Site	1536360.876/ 1196565.268	-	Potential	Petroleum hydrocarbons, glycols, drilling mud & additives, produced water	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate to High	Soil & groundwater Investigation at well centre and other areas of concern (e.g. sump, flare pit)
No substantial changes from the 2017 Phase I ESA – APECs remain the same								

Table F: 2021 Updated APEC List for Fort Nelson IR No. 2 – Main Reserve

APEC #	Site / Area	Northing/ Easting	ESSIMS #	Classification (Potential/Actual)	Contaminant Source	PCOCs (Soil & Groundwater)	Risk of Contamination	Recommend Action
42	Illegal Shack (~30 m east of Dene Gas)	519587.23/ 6515093.97	-	Potential	Petroleum hydrocarbons (unknown type)	F1, F2, F3, BTEXS, PAHs	Moderate	Soil Investigation in area of reported activities
43	Denny's Gas Bar 4999 Dene Etene Road	519445.66/ 6512212.11	-	Potential	Petroleum hydrocarbons (gasoline and diesel)	F1, F2, F3, BTEXS, PAHs	Low-Moderate	Soil Investigation in area of reported activities
44	1101 Sikanni Road Former Nicholson Trucking	520521.60/ 6515116.62	-	Potential	ASTs - unknown contents, likely fuels and oil. Batteries - toxic or corrosive materials.	F1, F2, F3, F4, BTEXS, PAHs, Glycols, Metals, Salinity	Moderate	Soil Investigation in area of reported activities



ANNEX "E"

**LIST OF OTHER INFORMATION PROVIDED BY CANADA THAT MATERIALLY
AFFECTS INTERESTS AND LICENCES**

- NIL

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ANNEX "F"

INTERIM ENVIRONMENTAL ASSESSMENT PROCESS

The Framework Agreement specifies that the First Nation and the Minister will address in the Individual Agreement how to conduct environmental assessments on First Nation land on an interim basis until the First Nation's environmental assessment process is developed. This Annex describes that interim environmental assessment process.

The interim process is intended to be broadly consistent with requirements of the federal environmental assessment process but without imposing requirements that are only appropriate to federal organizations and departments.

- 1) The First Nation shall carry out an environmental assessment in circumstances where federal environmental assessment legislation would likely require Canada to carry out an environmental assessment for a project on federal lands.
- 2) When the First Nation must conduct an environmental assessment of a proposed project, the First Nation shall ensure that the environmental assessment is carried out in the early planning stages of the project, before the First Nation makes an irrevocable decision that would allow the project to proceed (i.e. approve, regulate, fund or undertake the project). The environmental assessment shall be conducted at the expense of the First Nation or proponent of the project. At its discretion, the First Nation may retain third parties and experts as it may require to fulfill specific duties and tasks on its behalf related to this interim environmental assessment process.
- 3) The First Nation shall not approve, regulate, fund, or undertake the project unless the First Nation has determined that:
 - a. the project is unlikely to cause any significant adverse environmental effects; or
 - b. that those effects are justifiable under the circumstances,taking into consideration:
 - the results of a required environmental assessment;
 - any economically and technically feasible mitigation measures identified as necessary during the assessment; and
 - any public comments received during the assessment.
- 4) If the First Nation approves, regulates, funds, or undertakes the project, the First Nation shall conduct project monitoring, review implementation of approved mitigation measures, and follow-up programs as the First Nation

considers necessary.

- 5) If a project on First Nation land is also subject to a federal or provincial environmental assessment process, the First Nation must make its own determination in accordance with Section 3 above, but may:

- a. agree with the Province, Canada, or both on a harmonized environmental assessment process appropriate to that project, taking into account the Framework Agreement's principle that the First Nation's environmental assessment process be used where a federal environmental assessment is required; or

use the environmental assessment completed by the Province, Canada, or both, in substitution for undertaking a First Nation-led environmental assessment process.

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ANNEX "G"

DESCRIPTION OF FORT NELSON FIRST NATION LAND

The following Land Descriptions – Prepared by Ian Lloyd of Natural Resources Canada on April 2018 are available for review at Fort Nelson First Nation Land Management Office located at Mile 295 Alaska Hwy, RR 1, Fort Nelson BC, V0C 1R0 or online at: <http://clss.nrcan.gc.ca/clss/plan/search-recherche>.

- Fontas Indian Reserve No. 1 (FB41949)
- Fort Nelson Indian Reserve No. 2 (FB41972)
- Kahntah Indian Reserve No. 3 (FB41952)
- Snake Indian Reserve No. 5 (FB41953)

