



## **CONSTANCE LAKE FIRST NATION**

P.O Box 4000

CONSTANCE LAKE, Ontario - P0L 1B0

Telephone (705) 463-4511 – Fax (705) 463-2222

General e-mail: [clbo@clfn.on.ca](mailto:clbo@clfn.on.ca)

Website: [www.clfn.on.ca](http://www.clfn.on.ca)

### **BACKGROUNDER RE CONSTANCE LAKE FIRST NATION AND ZENYATTA VENTURES LTD. MINERAL EXPLORATION PROGRAM**

- Zenyatta went onto the land (in CLFN's traditional territory) in early April 2011 and started drilling/exploring without any proper notice to CLFN, and without meaningful consultation and accommodation to CLFN by Ontario or Zenyatta.
- Zenyatta has 28 mining claims in this area (called the "Albany Claims"), and intends to drill at up to 70 sites in these claims this year. That means that 70 sites will be clearcut, the helicopter will fly the drill and crew and fuel into 70 sites, and disruption to that area will occur at each site.
- The southern claims are in a crucial part of CLFN's traditional territory called the "heartland" – filled with sacred sites, heavily used by CLFN for exercise of aboriginal and treaty rights, and of extremely high value to CLFN. The northern claims are in shared territory – shared between CLFN and likely also Moose Cree and Marten Falls First Nations.
- CLFN is deeply concerned that its sacred sites (including burial sites) will be irreparably harmed, and that the exercise of its rights will be infringed.
- CLFN has brought a court motion for an injunction against Zenyatta, to try to get the court to order Zenyatta to stop drilling for now, and get Ontario and Zenyatta to meaningfully consult with and accommodate CLFN. The hearing is this Friday, April 29, in Superior Court in Toronto.
- Both before and since filing the injunction notice in the court, CLFN has repeatedly tried to get Zenyatta to agree to stop drilling in the interim, and has tried to get both Zenyatta and Ontario to agree to reasonable and necessary accommodation measures. Zenyatta has refused to stop drilling, and as of today no accommodation measures to protect CLFN sites and lands and values and to mitigate impacts on its rights, are in place.
- CLFN considers that Zenyatta has breached its trust and shown bad faith. It could have avoided all its financial risks had it waited to move out on the land until consultation had been completed and CLFN's significant concerns accommodated.
- But the other big obstacle here is Ontario and the Mining Act. While the Mining Act has been amended, the amendments that would most affect First Nations are not yet in force. Even had they been, there is still no requirement in the new Act to consult First Nations before claims are staked, and there is no requirement for substantive accommodation to be reached before exploration begins.
- Zenyatta's President and CEO is Aubrey Eveleigh. Its Board of Directors are: Mr. Eveleigh, Tom Mustapic, Clifford Davis, Brian Davey, Barry Allan. Zenyatta is a publicly traded company.