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# ATTAWAPISKAT FIRST NATION

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**SENT BY EMAIL**

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Dear Ms. Cox, Ms. Krezel, Ms. Moszynski, and Ms. McLeod,

**Re. IAAC's November 24, 2025 letter regarding fast-tracking of the Ring of Fire road projects with a projected June 2026 decision date, and further preliminary comments on the Webequie Supply Road (WSR) project draft Impact Statement (draft IS)**

We are writing to you today with a growing sense of shock and alarm over the unilateral decision-making your Crown governments are imposing on the Kattawapiskak people. When we entered into the Treaty relationship, we agreed to share the land. As part of the agreement to share the land, we understood that decisions over the future of our territory would be made with our full and equal participation. We certainly did not agree that the Crown would rule over us.

The suggestion that a decision will be made by the two Crowns to approve the Ring of Fire road in less than 6 months time deals another major blow to the Treaty relationship, and to the international standard (adopted into Canadian law) of free, prior, and informed consent.

What is being proposed is a frontier-opening project. Make no mistake: the three segments of the road stretching from Nakina to Webequie, that you are evaluating as three separate projects, are part of one industrial access road to the Ring of Fire. If this road is built, we will be faced with a cascade of irreversible development impacts. Instead of providing substantive responses to our concerns and opportunities for Treaty-level discussions to address this, we are offered shallow consultation processes that are being pushed through at lightening speed.

When Bill C-5, the *Building Canada Act* and Bill 5, the *Protect Ontario by Unleashing our Economy Act* were imposed just six months ago, your Crown governments launched down a path of expedited, unilateral approval of industrial development projects in Indigenous homelands. As we wrote to you in September 2025, unless this path is changed, the Crown will fail to uphold the honour of the Crown and will seriously damage the project of reconciliation. Not only have Canada and Ontario not changed this path, the Crown has now doubled down on its unilateral approach with the recent agreement to accelerate the review and construction of major projects.[1]

Your expedited timelines and the artificial division of this one road into three separate projects has resulted in an enormous consultation burden for us. In June 2025, when the WSR proponent chartered a plane to Attawapiskat to drop off bankers boxes filled with 11,000 pages of draft IS documents, we were still in the midst of reviewing the more than 10,000 page-long Marten Falls Community Access Road (MFFN CAR) draft IS. As of this writing, we are still in the process of reviewing sections of the 11,000 pages of WSR documents. These documents are full of gaps, statements made without evidence, and incorrect information.

We also still have not received any substantive answers from the Crown to the previous questions and concerns we submitted on the MFFN CAR and WSR draft impact statements, in our letters dated June 11, July 28, August 19, September 11, and October 6, 2025.

The only thing we have received in way of a response thus far is an email from the WSR proponent on January 12, 2026, that contains a response table to our letter of October 6th. The proponent's response table informs us that our serious concerns about cumulative effects are "out of scope" and "will not be addressed." This response is completely unacceptable and goes against the proponent's promise that "the Project Team is committed to conducting the cumulative effects assessment collaboratively and iteratively with Indigenous communities and groups."

Below is a summary of our concerns about the process you are undertaking to rush the industrial access road to the Ring of Fire through environmental assessment processes. We also provide additional preliminary comments on the WSR draft IS.

1. **The timeline you have imposed on this project dishonors the Treaty relationship and Canada's commitments under the UNDRIP Action Plan regarding free, prior, and informed consent.**

   On November 24, 2025, we received a letter informing us that the timeline for a federal decision on the Ring of Fire road would be made by June 2026. This timeline makes it impossible for us to get accurate and complete information about the impacts of the project to our inherent and Treaty rights.

   Until very recently, impact assessment involved several cycles of information exchange, where questions were asked by First Nations and the Crown authorities, and detailed technical responses were provided by the proponent. The answers given by proponents triggered

[1] https://www.pm.gc.ca/en/news/news-releases/2025/12/18/canada-and-ontario-sign-new-agreement-accelerate-construction-major

additional questions from concerned parties, and the cycle continued until questions were adequately answered.

The fast-tracking of Crown approvals for the Ring of Fire road means that this exchange of information has been cut short. It has been replaced with a one-way process in which we provide questions and concerns but there is no substantive reply to our questions on the major information gaps we have identified.

2. **In an August 7, 2025 meeting we were told that the priority for IAAC is to get a sense of Attawapiskat's "issues." These "issues" were then presented to us by IAAC in bullet point form in the document entitled "Summary of information on potential impacts of the Webequie Supply Road Project on Attawapiskat First Nations," sent to us on December 3, 2025. Please know that your list of "issues" is not a substitute for meaningful responses to our requests for information.**

   We remind Canada of its commitment in the federal UNDRIP Action Plan: "The Impact Assessment Agency will implement the Impact Assessment Act (IAA) in a way that aligns with the objectives and spirit of the UN Declaration." This includes "carrying out impact assessments in a manner that emphasizes the need to seek free, prior, and informed consent," "mandatory consideration of Indigenous knowledge," and "maximizing Indigenous collaboration and partnership."[2]

   These commitments mean respecting the information and the time we require to exercise our free, prior, and informed consent. Information and time are key themes in the 2016 United Nations' manual on good practices for implementing FPIC, entitled: *Free Prior and Informed Consent – An Indigenous Peoples' right and a good practice for local communities – FAO.*[3]

   We have provided four letters on our concerns on the MFFN CAR draft IS as well as a previous letter on the WSR draft IS. The concerns we shared were numerous and far-reaching, and included concerns about improperly scoped cumulative effects analyses, as well as technical analyses of impacts to peatlands, water, wildlife, species at risk, and Aboriginal and Treaty rights that were poorly done and incomplete.

   We are still waiting for Canada's commitments under the UNDRIP Action Plan to be honored, and for both Crowns to honor our right to co-decision making and co-jurisdiction under Treaty 9, a right which starts with access to information. As a first step towards honoring its UNDRIP Action Plan commitments, the Crown must work with us to ensure we are provided with comprehensive, credible information on the potential impacts of the project.

3. **We are alarmed by the seeming refusal of Canada to provide a technical review of the sections of the proponent's impact statement related to impacts to species at risk. This is yet another way in which we are cut off from access to technical information on the impacts of the project to wildlife, and by extension, our rights.**

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[2] https://www.justice.gc.ca/eng/declaration/ap-pa/ah/pdf/unda-action-plan-digital-eng.pdf

[3] Available at: https://www.un.org/development/desa/indigenouspeoples/publications/2016/10/free-prior-and-informed-consent-an-indigenous-peoples-right-and-a-good-practice-for-local-communities-fao/

As we mentioned in our August 7, 2025 meeting with IAAC, Attawapiskat First Nation requests to receive a technical review from Environment Canada (ECCC) on the sections of the proponent's draft IS pertaining to caribou. Our understanding from your response at that meeting was that this would not be possible. However, in the meeting notes you subsequently provided, you wrote that "should Attawapiskat First Nation choose to request an additional technical review from ECCC of the sections of the draft IS pertaining to impacts to caribou, ECCC would likely be limited in their response." We responded by email to say that it is unclear what this means, but that we maintain our request for a technical review from ECCC on the cumulative impacts of the proposed road to caribou.

On October 3, 2025, IAAC offered to arrange a meeting with representatives of IAAC and ECCC on this matter. We are still waiting for word on when, or whether, this meeting will take place.

According to the post-meeting notes IAAC provided of our August 7 meeting, you maintain that "the scope of the IAs is informed by the recent Supreme Court of Canada decision on the constitutionality of the Impact Assessment Act (IAA) and amendments to the IAA to align the Act with the Supreme Court of Canada decision, both of which require that federal decision-making on IAs be anchored in areas of clear federal jurisdiction." Subsequent communications from you, including your letter of November 24, 2025, have reinforced that position.

However, IAAC's assertion that federal advice cannot be provided due to changes to the Impact Assessment Act is simply not credible. In federal impact assessments undertaken since the June 2024 amendments to the IAA took effect, but before the federal election of 2025, the federal authorities did in fact provide analyses of impacts to species at risk. For example, in the Federal Authority Advice Record – Crawford Nickel Project Impact Statement, which is dated February 7, 2025, so after the amendments to the IAA, IAAC asks the federal authorities to provide comments on species at risk, "in relation to IAAC's obligations under section 79 of the Species at Risk Act." The Federal Authority Advice Record for the Crawford Nickel Project goes on to provide extensive comments on the impacts of the project to species at risk.[4] The fact that the federal authorities are now being prevented from reviewing the proponent's claims on species at risk therefore has little to do with the June 2024 amendments to the IAA, and everything to do with the decision of Mark Carney's government to fast track projects without consideration for existing laws, democratic norms or Treaty rights.

On December 19, 2025, we received an email from IAAC stating that "IAAC understands that further caribou information is expected in the final Impact Statement in response to comments from MECP on the draft IS. As such, IAAC will contact Attawapiskat First Nation to schedule a meeting to discuss findings after ECCC and MECP have reviewed the final Impact Statement." Once again, this response is unacceptable. It makes no commitment to honor a request from us, your Treaty partner, for a technical review of caribou-related content in the draft IS from the federal (ECCC) authorities.

[4] ECCC's comments on the Crawford Nickel Project can be found here, as Enclosure 1: https://iaac-aeic.gc.ca/050/evaluations/proj/83857/contributions/id/62492

We reiterate that relying on provincial advice only for evaluation of impacts to species at risk is inadequate and we will not accept this limit to our access to information. The stakes in terms of impacts to our four-legged relatives, our lands, and future generations of our community, are simply too high for us. Already the MECP evaluation of impacts to caribou has raised serious concerns. This should only heighten Canada's concerns over impacts to species at risk, not lessen or remove those concerns. That we are cut off from access to technical advice from ECCC for political reasons is appalling to us and dishonors the sacred agreement our ancestors made when they entered into Treaty.

4. **Attawapiskat First Nation is concerned about the impact of the road on movement of wildlife. The draft IS offers no explanation for why these impacts are rated by the proponent as "low" and "not significant." The proponent's assertions that only a small number of animals will be affected, and that everything is manageable with mitigation measures, are not grounded in evidence. The draft IS must be edited to provide an analysis that takes seriously our concern about impacts to wildlife movement.**

   Weenusk First Nation has already noticed the impact of construction activities on wildlife movements in their territory, and is concerned about what would happen if a road were to be built across part of their territory: "Disturbances to migratory animals by construction activities have impacted migratory routes and changed the availability of harvested species in Weenusk's traditional areas" (Section 12, p. 28). Attawapiskat shares this concern.

   In the proponent's response table, 12-3, "Wildlife and Wildlife Habitat VC – Summary of Indigenous Knowledge and Land and Resource Use Information," the response given to this concern is that "Potential effects due to alteration in movement for each wildlife group are described in Section 12.3." (Section 12, p. 28).

   Following this thread, we looked at Section 12.3.3 which covers effects to moose. This section offers no explanation as to why the "Degree of Effect" for the impact of alterations in movement (p. 92-93) is considered "Low," only that the sum of scores for the "scope," "severity," "magnitude," and "irreversibility" categories – scores which are also not explained – result in an overall score of "Low."[5] The lack of explanation and the score of "low" is unacceptable, given that on p. 89-90 the proponent in fact describes, with references to the scientific literature, the many ways that roads can alter the travel trajectories of moose and act as barriers to movement.

[5] As we noted in our letter of October 6, the "rule of thumb" approach to impact assessment uses a scoring system that is completely arbitrary and not calibrated to scientifically-validated, or ecologically relevant, evidence. Yet the proponent uses this approach throughout the draft IS, including for impacts to wildlife such as moose.

The proponent then expands on this threat assessment in a section called "Predicted Net Effects," in which they claim that changes to movement of moose due to sensory disturbance during the operations phase of the road will result in a "small net negative effect" and will impact "a few individual moose" (Section 12, p. 330). Similarly, the proponent claims that the lack of connectivity due to the road acting as a barrier may affect "some moose" (Section 12, p. 329). Finally, in the Determination of Significance section, the proponent again uses the "rule of thumb" technique to come up with a sum of significance categories (magnitude, geographic extent, duration, etc.). The result is a "Not Significant" score for all categories of impact to moose (Table 12-244, p. 498-500), including alterations in movement. Once again, no analysis is provided, aside from unexplained statements including: "mitigation measures ... should limit any movement effects," and "mitigation measures ... are expected to be effective" (Section 12, p. 496).

The draft IS must be edited to provide an analysis that is based in evidence, is consistent between sections, and takes seriously our concern about impacts to wildlife movement.

5. **The effect of the industrial access road to the Ring of Fire is likely to include the proliferation of recreational hunting and fishing, and commercial camp/lodge construction in our territory. This will have very serious impacts on the ways we use the land, and on our inherent and Treaty rights. The proponent dismisses these concerns, by saying that animals like moose are "resilient" and that impacts are small. The proponent's assertion of minimal impact does not take into account cumulative effects and is not based in evidence. It is incorrect and must be revised.**

Weenusk First Nation notes that "Increased access by non-Weenusk harvesters may impact Weenusk harvesting preferences" (Section 12, p. 28). Weenusk First Nation and Matawa Tribal Council shared concerns about "over-harvesting and encroachment of non- local harvesters" and "about how emerging land usage issues will be addressed such as non-local community member access to land and/or water access points that will now be impacted by the Project" (Section 19, p. 15-16). Attawapiskat First Nation shares these concerns.

The proponent's response table on these issues (Section 19, p. 15-16) directs us Section 19.4, which we are told "outlines proposed mitigation and enhancement measures related to effects on Indigenous peoples." Continuing on to Section 19.4, we see no mitigation measures proposed that would address this issue of increased access, aside from the proposal to "change cultural practices" (Section 19, p. 192), and a list of operations and construction phase "management plans" (p. 188) that would be drafted in the future.

The proponent claims the impact of increased access is "low" (Section 12, p. 93) without any explanation of the source of the ratings or how the sum of their ratings for "scope," "magnitude," "severity," and "irreversibility" resulted in an overall score of "low." The only mitigation measures the proponent offers for the problem of increased access to wildlife due to the road is that "The number of rest-areas and pull-offs will be limited during the operations phase" (Section 12, p. 250). Continuing on to the "Predicted Net Effects" section (Section 12, p.

333), the proponent claims, without providing any evidence, that "Moose populations are expected to be resilient to the small number of mortalities that may result from harvest during operations and may alter behavior to avoid the road," and that "Harvest of a few individuals is likely certain to occur." The proponent considers the footprint of this harvesting to be limited to the road itself, and considers the net effect to be "not significant" (Section 12, p. 497), and considers the cumulative effect, when combined with the impact of other projects, to be "not significant" (Section 21, p. 73). The rationale provided for insignificant cumulative effects stemming from increased access is that "The context is resilient as moose populations are expected to have a small increase in the number of mortalities and may alter behavior to avoid the road" (Section 21, p. 72).

The proponent fails to address the fact that with road access commercial outfitters and their customers would acquire permanent access to what are currently considered remote lakes and rivers. Such an expansion of recreational hunting and fishing would cause significant declines in species valued by our people and would interfere with the ways we use the land. This pattern has already shown itself in Eeyou Istchee, the Quebec Cree territory. In the early 1970s, only a handful of tourist camps operated around various Cree settlements, and a few other recreational camps were owned and run by Quebec in provincial hunting reserves. After the completion of the Billy Diamond Highway in 1974, the Trans-Taiga Road in 1979, and the Route du Nord in 1993, the provision of hundreds of leases to non-Indigenous owners, along with the influx of tens of thousands of non-Indigenous hunters and fishers equipped for camping every year, emerged as a major cumulative impact to Cree land uses.[6]

6. **In the draft IS, the proponent dismisses Attawapiskat's First Nations serious concerns, previously shared during the consultation process, about impacts to caribou travel routes from the proposed road.**

In its record of inputs received from First Nations during the consultation process on species at risk, the proponent acknowledges Attawapiskat's concern about impacts to travel routes, summarizing Attawapiskat's request as follows: "Requested that caribou travel routes be considered in the evaluation of alternatives, especially as areas that favour constructability (areas of high ground) can also be used by caribou as travel routes" (Section 13, p. 36, Table 13-4).

The proponent responds to this concern in Table 13-4 by writing that "Caribou habitat, known caribou travel corridors and nursery areas were included as criteria in the evaluation of alternatives as described in Section 3 of this Draft EAR/IS." Cross-referencing this claim with what is written in Section 3, we see no discussion of the issue of caribou travel corridors anywhere in Section 3, except for a brief mention of the existence of caribou travel corridors on

[6] Penn, Alan. 1995. *The James Bay and Northern Quebec Agreement: Natural resources, public lands, and the implementation of a native land claim settlement.* Prepared for the Royal Commission on Aboriginal Peoples. 70pp. P. 48. Private lease data current to 2025 can be found here: https://www.donneesquebec.ca/recherche/dataset/couche-des-droits-fonciers-baux

p. 24, and another brief mention on p. 30 about a possible barrier effect between Winisk Lake and lands to the east.

The proponent has failed to present any data on existing caribou migration routes,[7] nor has the proponent presented any analysis of the impact of the proposed road on caribou migration and its long-term, population-level consequences. Glossing over our concerns in this way is unacceptable.

Travel is at the heart of Atik's original instructions – some might call it their "evolutionary strategy." For thousands of years caribou have migrated to adapt to changing conditions, while finding food and avoiding predators and parasites. With catastrophic climate change now inevitable, caribou need access to all parts of their range if they are to adapt to extreme climatic changes on top of the usual challenges of surviving and reproducing. Nowhere in the proponent's impact statement is this issue discussed.

Furthermore, our concern about impacts to caribou travel routes is not limited to the impact of the road, seen in isolation. It is well known from other northern boreal caribou ranges that once multiple developments begin appearing on the landscape, such as exploration camps, outfitter camps, and fully-developed mines, caribou will avoid these areas at large distances, creating landscape-level blocks to caribou movement that result in large areas that are lost to caribou.[8] We expect nothing less than a thoroughgoing analysis of this issue in the proponent's impact statement, as part of the cumulative effects analysis. Without it, we cannot properly assess the impacts of the WSR to our rights.

7. **In Section 19 of the draft IS, the proponent claims that impacts on the exercise of Aboriginal and Treaty rights will be minimal, based on the expected biophysical effects of the proposed road segment, seen in isolation. That conclusion does not take into account cumulative effects and therefore does not reflect the ways in which the WSR road would impact the inherent and Treaty rights of Attawapiskat First Nation.**

The proponent has concluded that for "rights related to current and historic use of lands and resources," and "rights related to cultural continuity," the "predicted effects [of the WSR] are largely not anticipated to extend into the RSAs [Regional Study Areas] for the biophysical effects assessments" (Sections 19.5.1. and 19.5.2, p. 197 and p. 201). For "rights related to socio-economic, health and well-being," the proponent claims that "the effects of the Project are assessed to be concentrated within the LSA [Local Study Area] communities, especially the Webequie First Nation during construction and operations" (Section 19.5.3, p. 203).

The claim that impacts of the access road will not be felt by "regional" First Nations communities is perpetuated in Section 19.5.4, which covers impacts to "rights to self-

[7] This data surely exists, and can be derived from historic MNR collar data and the proponents' own caribou collar data.

[8] See for example: Tłı̨chǫ Research and Training Institute. 2016. *Ekwò zò gha dzô nats'êdè - "We Live Here For Caribou." Cumulative Impacts Study on the Bathurst Caribou*.

determination and self-governance." Here the proponent states their belief that most communities in the Regional Study Area "are understood to be outside of areas with predicted net effects to land use planning and stewardship" (p. 205). It is unclear how the proponent came to this conclusion given that Attawapiskat First Nation's territory overlaps with the Ring of Fire and the Webequie Supply Road. The proponent then goes on to say that the WSR "may affect existing social, economic, and health conditions, and could impact the ability of RSA communities to exercise their Aboriginal and Treaty Rights, particularly those related to self-determination and self-governance" (p. 205).[9]

We can therefore summarize the proponent's analysis of impacts to rights as follows: the proponent predicts no, or minimal, impacts to rights, claiming that the "regional" communities such as Attawapiskat are too far away from the WSR to experience any biophysical impacts to their lands. Not only is this based on an incorrect understanding of the extent of Attawapiskat's territorial rights and interests, it also does not take into account cumulative impacts. The lack of attention to cumulative impacts where our inherent and Treaty rights are concerned is completely unacceptable.

As we previously stated in our letter of October 6, 2025, and contrary to what the proponent claims in various parts of the draft IS,[10] the WSR would not work as a stand-alone road. Without a connection to the south the deposits in the Ring of Fire cannot be developed, and Chief Wabasse's stated purpose for this road – "an economic development road that would connect Webequie First Nation to existing and future mineral development in the Ring of Fire area"[11] – will not be possible to realize. If the mining frontier is pushed into our territory via an access road to the south, we will inevitably experience multiple waves of development with severe impacts to our rights. If this road is built, our people will not have the luxury of experiencing the proposed WSR road segment in isolation.

The proponent mentions briefly in Section 21 on Cumulative Effects that

> The assessment of cumulative effects on Indigenous Peoples and Impacts to the Exercise of Aboriginal and Treaty Rights is to be determined. An evaluation of cumulative effects will be undertaken once the severity of potential adverse effects on Indigenous Peoples and Impacts to the Exercise of Aboriginal and Treaty rights has been completed" (p. 239).

[9] The proponent's discussion of impacts to "rights to self-determination and self-governance" is deficient in many respects. The proponent fails to mention the UNDRIP principle, adopted into Canadian law, of free, prior, and informed consent. This section also shies away from any discussion of First Nations' decision-making governance authority under Treaty 9, choosing instead to focus on topics such as First Nations' "stewardship" activities and "culturally relevant governance structures" that could "increase feelings of empowerment" (Section 19, p. 203).

[10] See for example p. 13 of the draft IS Executive Summary. "From the perspective of the community, the WSR could be constructed and operated to provide a connection between Webequie First Nation and the McFaulds Lake area to serve mineral exploration and future mining development activities, with no connection to the provincial highway system."

[11] Chief's Message, draft IS.

We are greatly concerned that the proponent expects to base the cumulative impacts to rights analysis on the "severity" determinations made using the methodology described in Section 19, which looks at impacts of the road in isolation. Furthermore, the cumulative effects assessment of the biophysical components (as described in this letter, and in our letter of October 6, 2025), is an entirely inadequate basis for an analysis of impacts to rights.

Finally, we were highly surprised to read that "In alignment with the IAAC Guidance, the Project Team is committed to conducting the cumulative effects assessment collaboratively and iteratively with Indigenous communities and groups, where appropriate and feasible" (Section 21, p. 239). How will it be possible to conduct the cumulative effects assessment "collaboratively" and "iteratively," when we have not received any information in response to our previous letters on the all-season road segment draft impact statements, when the timeline for consultation has been greatly compressed, and when the two Crowns have already committed to approving the access road to the Ring of Fire? The answer is that it will not be possible.

Regarding our above-stated concerns, please respond to us, and those copied here, as soon as possible.

Sincerely,

<Original signed by>

Chief Sylvia Koostachin-Metatawabin

Attawapiskat First Nation

<Original signed by>

Deputy Chief Kara Fireman

Attawapiskat First Nation

cc.

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