



ATTAWAPISKAT FIRST NATION

P.O. Box 248
Attawapiskat, Ontario
P0L1A0

March 17, 2026

SENT BY EMAIL

Loraine Cox and Caitlin Cafaro
Team Leaders, Ontario Region
Impact Assessment Agency of Canada
loraine.cox@iaac-aeic.gc.ca
caitlin.cafaro@iaac-aeic.gc.ca
webequie@iaac-aeic.gc.ca

Dorothy Moszynski and Sasha McLeod
Special Project Officers
Environmental Assessment Branch
Ontario Ministry of the Environment, Conservation and Parks
dorothy.moszynski@ontario.ca
sasha.mcleod@ontario.ca

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

Re: Attawapiskat First Nation's preliminary comments on the Webequie Supply Road Final Impact Statement

We are writing in response to a March 20, 2026 deadline to provide comments to Ontario on the Webequie Supply Road (WSR) proponent's Final Impact Statement (Final IS).

On March 9, 2026, Attawapiskat First Nation and Fort Albany First Nation wrote to request additional time to review and comment on the Webequie Supply Road and Marten Falls Community Access Road final impact statements. We have not yet received a reply to our letter.

Attawapiskat First Nation continues to strongly object to the expedited assessment processes for both projects.

The Final IS is more than 10,000 pages in length. Ontario has allotted 50 days for the First Nations to review this document – the same as the public review period, and overlapping with the 50 day review period for the Marten Falls Community Access Road (MFFN CAR) Final Impact Statement.

The outcome of the impact/environmental assessment process appears to be predetermined. Ontario and Canada have greatly compressed the timeline for environmental/impact assessment and have vowed that ministerial approval for two of the three segments of the industrial access road to the Ring

of Fire will be in place by the summer. Ontario has already announced that construction of the road will begin in June 2026.¹

The timeline that is being imposed has placed an enormous consultation burden on Attawapiskat First Nation. Given the short time and the number of pages involved, we have not had the opportunity to fully review the Final IS.

We have also not had the time to discuss the Final IS with our members, and as indicated below, Cree-language summaries on key topics of concern have not been provided.

The comments in this letter must therefore be considered preliminary. Submission of these comments does not signal the consent of Attawapiskat First Nation for any developments within the area commonly known as the “Ring of Fire,” including developments related to transport and resource exploitation in that area.

We have already raised many concerns about the claims made in the proponent’s draft Impact Statement, as you know from our letters of October 6, 2025 and January 14, 2026. Neither the proponent nor Ontario have adequately responded to those concerns. The vast majority of responses found in the March 2, 2026 response document state that the item “will not be addressed” and is “considered out of scope.” Other responses refer to addenda to the Final IS to which we have not yet received.

The way in which this regulatory process is unfolding is disrespectful of the Treaty relationship and does not provide us with the time needed to understand, ask questions about, and receive meaningful answers on the impacts of this project. It also does not allow us to exercise our right to free, prior, and informed consent – an international standard that Canada committed to when it adopted the UN Declaration on the Rights of Indigenous Peoples into domestic law in 2021.

We remind you that there is a hierarchy of law, and that the Constitution Act, 1982 is Canada’s supreme law. The Treaty rights at the core of Treaty 9 are affirmed and guaranteed by Section 35 of the Constitution Act, 1982. Accordingly, in the hierarchy of law, Canada’s Impact Assessment Act and Ontario’s Environmental Assessment Act fall below the Canadian Constitution.

When our Kattawapiskak people entered into Treaty to protect our Way of Life, the Crown and the Indigenous peoples made solemn promises to one another – promises that remain the foundation for how we are to live together. While our people agreed to share the land with the newcomers, we did not give up our decision-making authority over the land. Treaty 9 resulted in co-, dual or shared Jurisdiction whereby the Crown could not interfere with our Way of Life (which includes our Jurisdiction) without our consent, especially when such interference threatens our Way of Life.

In response to our October 6, 2025 letter, expressing concern that the regulatory process for approving the WSR does not meet the Crown’s Treaty obligations, Ontario wrote on January 16, 2026 that “Ontario recognizes that it has a constitutional Duty to Consult and, if appropriate accommodate Attawapiskat First Nation with respect to the proposed WSR.” Ontario offers to meet with the Attawapiskat First Nation, but how can such a meeting(s) get to the core of Treaty 9’s sacred and solemn promises, given

¹ <https://news.ontario.ca/en/release/1007104/ontario-releases-accelerated-plan-to-complete-construction-on-roads-to-the-ring-of-fire-five-years-ahead-of-schedule>

Ontario's ongoing approach to fast-tracking development, with or without our approval. Further, how can the duty to consult and accommodate be properly implemented unless it is implemented through the lens of UNDRIP and the principle of free, prior, and informed consent, as determined in *Kebaowek* [2025].²

The below is a summary of our concerns:

- 1. The cumulative effects analysis presented in the Final IS does not allow us to understand the long-term impacts of this industrial access road to our land, our Way of Life, and our Treaty and inherent rights.**

The project that is being proposed is not just any project – it is a frontier development. What we mean by this is that the road would open the door to regional development on a massive scale – a door that, once opened, can never be closed again. This development would affect future generations and our Way of Life forever.

The cumulative effects assessment for this project must therefore include induced development. Once the access road is in place we can expect the growth of secondary and tertiary road networks, and the expansion of forestry, mining exploration, mining, and recreational hunting and fishing, among other industries. This type of development is routinely seen around the world, including in Canada, after a road is built into a previously roadless area. Induced development grows over time, and is of enormous concern to our Kattawapiskak people. Canada and Ontario must not ignore induced development, and must not hide behind the fiction that future projects must have already been announced and intending to seek regulatory approval if they are to be included in the cumulative effects assessment.³

Projects that fall under the category of induced development must be included in the cumulative effects assessment for the WSR, because while it is too early for mining proponents, or hydro dam proponents (to name just two examples) to announce their intent to seek regulatory approvals, we all know that once an access road is built, such developments will be announced as moving forward, and it would be irrational and foolhardy for the regulators (MECP and IAAC) to not consider the full scale of intended development stemming from the industrial access road to the Ring of Fire. As Minister Pirie said in a 2024 interview with NetNewsLedger in Thunder Bay, “permanent roads will have to be developed, so we’ve been focusing on one road, or three roads, but there’ll be lots of roads that have to be developed ... and when that happens you’re going to see an incredible boom in mining.”⁴ In that interview, he also referred to our Omushkegowuk territory as “largely empty and begging for exploration drillholes.”

We remind the proponent that the Tailored Impact Statement Guidelines for the Webequie Supply Road impact assessment state that the proponent must:

² As Justice Julie Blackhawk writes at para. 76, “The UNDRIP does not create new law or statutory obligations; rather, it is an interpretive lens to be applied to determine if the Crown has fulfilled its obligations prescribed at law.” *Kebaowek First Nation v. Canadian Nuclear Laboratories*, 2025 FC 319

³ In the May 2023 Policy Framework for Assessing Cumulative Effects under the Impact Assessment Act, “reasonably foreseeable” is defined as: “the physical activity is expected to proceed, e.g. the proponent has publicly disclosed its intention to seek the necessary impact assessment or other authorizations required to proceed.” The wording of this definition uses “e.g.,” indicating that a proponent’s intention to seek regulatory approval is an example of what could be considered “reasonably foreseeable.”

⁴ <https://www.youtube.com/watch?v=CynB8CxEgys>

identify the sources of potential cumulative effects. Specify other projects or activities that have been or that are likely to be carried out that could cause effects to each selected valued component within the boundaries defined, including potential induced effects, and whose effects would act in combination with the residual effects of the Project [underlining added]" (p. 132).

The Oxford English Dictionary gives the following definition of the verb "induce:" to "succeed in persuading or leading (someone) to do something" or to "bring about or give rise to ... by induction."⁵ In the context of induced effects of the road, this means that what must be considered are the ways in which a road would persuade, lead to, or stimulate development due to the much reduced cost of access to the territory. Such induced effects are no less important than effects that occur over the short term, because they continue to unfold over decades and centuries. As road networks expand, the induced effect of the initial road only multiplies.

It would be unacceptable to defer an analysis of induced development to the Regional Assessment. The results of cumulative effects assessments done as part of the Regional Assessment are not yet available, and will not be available for some time – certainly not by the time an approval decision on the WSR or the MFFN CAR is made. And since the industrial access road to the Ring of Fire is the trigger for induced development, any analysis of induced development done after the road is approved will be too little, too late.

2. The cumulative effects analysis does not consider the impact of waste and contamination from the Eagle's Nest mine and the named chromite deposits.

The proponent considers only the physical (spatial) footprint of these mines and not the waste and contamination that will be generated by these mines. This omission is unacceptable and the Final IS must be revised to include this information. Without it, we cannot understand the impacts of the industrial access road to our Treaty and inherent rights.

3. Among the topics that are of greatest importance to First Nations, only one Cree-language plain language summary has been provided. The one Cree-language summary pertains to Fish and Fish Habitat, and it provides no meaningful information on the project.

The following plain-language text summaries available in English, were not translated into Cree: Aboriginal and Treaty Rights and Interests, Effects on Fish and Fish Habitat, Effects on Wildlife and Wildlife Habitat, Cumulative Effects Summary, Species at Risk Summary, Vegetation and Wetlands.

An email from the proponent on March 16, 2026, indicated that of the above topics, a Cree-language summary of the Fish and Fish Habitat chapter was available online as a video. No Cree-language video – or text document – summaries are available for the proponent's chapters on Treaty Rights and Interests, Effects on Wildlife and Wildlife Habitat, Cumulative Effects, Species at Risk, and Vegetation and Wetlands.

The English-language version of the Cree-language video on Fish and Fish Habitat contains almost no useful information. Not counting the introductory material, the summary is 379 words in length. Half of those words cover concerns that have been raised by communities, and the other half say that

⁵ The Concise Oxford Dictionary, Tenth Edition, 1999.

everything will be managed with regulations, follow-up monitoring, and if needed, habitat restoration. No information is provided on the actual impact of the project on fish and fish habitat.

We cannot meaningfully consult with our members when Cree-language plain language summaries of key sections of the Impact Statement are not available, and when the English-language plain language summaries that have been provided are so dumbed-down that they do not contain any useful information.

The summaries, both in English, and in Cree, should provide condensed but complete information about the claims the proponent is making about impacts, including cumulative impacts, and how the proponent arrived at their conclusions about the impact of the project to each “valued component.” The summaries should also highlight the uncertainties that remain in the proponent’s analysis.

4. Many addenda to the Final Impact Statement are not yet available. The Final Impact Statement must therefore be considered incomplete.

The response document we received from the proponent on March 2, 2026 tells us that much of the crucial information we requested will be included in addenda to be released March 26 and April 8. The Final IS is therefore still missing a great deal of information, and Attawapiskat First Nation cannot complete its review of the document until the addenda are provided and sufficient time is allotted for a review of the complete document.

5. The issue of climate change has not been adequately addressed in the Final IS. While the proponent has added the words “climate change” to Section 21 of the Final IS, the implications of climate change and its interactive effects with project-specific impacts have not been explained. The proponent’s revisions pay lip service to this important issue and do not address our October 6, 2025 comments regarding the treatment of climate change in the draft IS.

No attention has been paid in the Final IS cumulative effects assessment to the way in which climate change does not simply add to the impact of development, it multiplies the impact of development with feedback loops that act through changes to the ecological processes that structure communities.

Rather than simply adding the words “climate change” to each of the valued component cumulative effects sections, the proponent needs to provide information about the interactive effect of climate change and impacts from the road project. For example, rather than simply saying that “climate change may exacerbate the loss and alteration of wetlands and vegetation” (Section 21, p. 60) by pathways such as increasing droughts and altering hydrological regimes, we need to understand the cumulative impact of the development in the presence of climate change. We need to understand how the combined effect of impacts from development (mining, road construction, etc.) and climate change have the potential, for example, to irreversibly destabilize the hydrological functions of peatland ecosystems. This process in turn has implications for wildlife frequency and severity, the stability of subsistence

fisheries, and the efficacy of carbon sequestration in fens and bogs.⁶ Nowhere is this mentioned by the proponent in their discussion of cumulative effects to wetlands and vegetation.

The impact of climate change on caribou is another example of the interactive, potentially multiplicative, effect of cumulative disturbance and climate change. The sensitivity of caribou to human disturbance is heightened by climate change; it does not simply add to the climate change impact. These effects are on top of the direct impacts that climate change may have on caribou, such as changes to vegetation or insect harassment. As suggested by Rempel et al. (2021) effects at multiple scales also needs to be considered, in particular the interactive effect of climate change and development through changes to the moose-wolf-caribou system.⁷ The potential for climate warming to cause moose population growth is particularly important to consider at the range scale. This impact pathway has not been considered in the proponent's Final IS.

In the proponent's section on cumulative impacts to moose (Section 21.4.7.1), there are a few sentences that point to the concept of interactive effects between climate change – for example: "Habitat loss from clearance activities reduces the resilience of moose populations to climate-driven habitat changes" and "Habitat fragmentation, increased road density and altered movement corridors that may be influenced by changing climatic patterns could further disadvantage moose in avoiding predators" (Section 21, p. 74), but there is no explanation as to how such interactive effects can be "mitigated," if at all, and how interactive climate change effects factored into the significance rating for the cumulative impact, if at all. In fact, there is no mention of climate change in either section 21.4.7.1.5 (Characterization of net cumulative effects), nor in section 21.4.7.1.6 (Determination of Significance).

The treatment of climate change in the Final IS pays lip service to the issue of climate change, and it does not allow us to understand how our rights will be impacted by the interactive impact of climate change and development.

6. The proponent's approach to assessing "threats" and the "significance" of those threats to "valued components," including species at risk, is arbitrary. The approach relies on the subjective judgement of consultants hired by the proponent to push this project through the phases of the regulatory process. The proponent's assessment of threats and their significance is not grounded in the current state of scientific knowledge. It also does not reflect Indigenous knowledge, nor the level of concern expressed by First Nations people.

For each valued component, the proponent first does a "threat assessment" that is supposed to tell us the degree to which a particular part of the environment will be affected by the road. Unfortunately, these threat assessments are carried out using criteria that do not match the current state of scientific knowledge, nor the ecology of the plants, animals, lands and waters that are being assessed.

⁶ Sutton, O. F., Balliston, N. E., & Price, J. S. 2024. "Mining and climate change alters water storage and streamflow dynamics of northern peatland-dominated catchments." *Water Resources Research* 60 (12), e2024WR037310. P. 16.

⁷ Rempel, R.S., et al., 2021. "Modeling cumulative effects of climate and development on moose, wolf, and caribou populations." *The Journal of Wildlife Management* 85(7): 1355-1376.

For example, the threat assessment approach outlined in section 13.3.1 for Species at Risk makes use of thresholds for “scope,” and “severity” that are not evidence-based, and appear to be invented for the purpose of impact assessment.

A “restricted scope” – “defined spatially as the proportion of the valued component’s occurrence or population within the study areas ... that can reasonably be expected to be affected by the predicted effect within 10 years” is defined as affecting the species at risk across up to 30% of its occurrence within the study area (Section 13.3.1, p. 104). This type of impact, where it has been seen elsewhere, risks serious declines or even the extirpation of species such as wolverine and caribou.

We have previously shared our deep concern with both Canada and Ontario on the application of the 35% habitat disturbance threshold (which was derived primarily using data from southern caribou ranges) to northern caribou herds, as recent studies strongly suggest that the relevant threshold for anthropogenic disturbance in northern boreal caribou ranges lies somewhere between 3% and 11% of the range being impacted by industry.⁸

An impact on up to 30% of a caribou range is therefore unacceptable in the homelands where we hunt caribou. The range of 11-30% loss, which the proponent classifies as “restricted” is in fact at the top end of the threat scale, and should be considered “pervasive.”

Furthermore, it is simplistic to consider only percentage of total habitat loss across an (arbitrarily defined) area, when other measures of landscape change, such as the density of linear features, are more closely associated with the risk of mortality and population decline.⁹

We must also consider that the proponent, in using these percentage disturbance levels at large landscape scales (encompassing both the Missisa and Ozhiski Ranges), and in not considering the full range of cumulative effects that will be induced by this road, is considerably diluting the predicted effect on herds that make their home in and around the area known as the “Ring of Fire.”

The proponent’s “severity” determinations for impacts to species at risk suffer from similar problems, where a “moderate” scope of damage to the valued component, for example caribou, would be the loss of 11-30% of the population within 10 years or three generations (Section 13.3.1, p. 105). This level of loss would have devastating consequences to the sustainability of the caribou population, which, like many fish and wildlife populations, we need to maintain at high levels in order for subsistence harvesting to remain viable (see our letter on the Marten Falls Community Access Road project, sent to Canada and Ontario, September 11, 2025).

We remind the proponent and IAAC that in the Tailored Impact Statement Guidelines for the WSR project, Canada directed the proponent to identify “thresholds, identified by the community that if exceeded, may impair the ability to meaningfully exercise rights.” In addition the Tailored Impact

⁸ The mathematical modeling that resulted in the 35% disturbance threshold, outlined in the Recovery Strategy for Boreal Caribou in Canada as a management goal, was based primarily on data collected in southern caribou ranges where higher productivity drives so-called “disturbance-mediated apparent competition.” See: McLoughlin, P.D. 2022. Conservation of northern populations of boreal and migratory woodland caribou. Department of Biology, University of Saskatchewan, Saskatoon. 43 pp. p. 30-32.

⁹ Best, Ian N., Branden T. Neufeld, and Philip D. McLoughlin. 2025. Thresholds of Risk: Linking Linear Feature Density to Caribou Mortality and Recruitment in the SK1 Boreal Caribou Range. Interim Report. Department of Biology, University of Saskatchewan.

Statement Guidelines directed the proponent to consider “the quality and quantity of resources required to support exercise of rights (e.g. preferred species, level of health of preferred species, volume of preferred species).”¹⁰ Neither of these factors have been included in the threat assessment approach used for species at risk, including caribou. This is unacceptable and the impact statement cannot be considered finalized until this gap has been remedied.

The proponent then comes up with a “magnitude” rating, which involves “multiplying” the subjective ratings of scope and severity described above, using a “rule of thumb” table, as shown below (Section 13.3.1, p. 105):

Magnitude – magnitude = scope x severity, as follows:

SEVERITY	SCOPE			
	Pervasive	Large	Restricted	Small
Extreme	Very High	High	Medium	Low
Serious	High	High	Medium	Low
Moderate	Medium	Medium	Medium	Low
Slight	Low	Low	Low	Low

We previously commented on the danger of the “rule of thumb” approach used by the proponent to determine the significance of impacts. As we wrote in our letter of October 6, 2025, the approach of scoring the magnitude, geographic extent, duration, frequency, and reversibility with points and then summing those points is wrong. The process involves the combination of arbitrary values that are not calibrated to real-world, scientifically validated, or ecologically-relevant evidence.

The proponent responded in their March 2, 2026 letter to us, in point #9, that “the methodology for assessing significance has been modified,” where they have “removed the scoring method” for the determination of significance” and now “apply one qualitative method for consistency and clarity.” Unfortunately, in removing the scoring system, the proponent has simply replaced numbers with words and categories. It has not resolved our concern around the artificial nature of this assessment process, in any way.

7. The assessment of impacts to caribou is still lacking key information, as outlined in our letters of October 6, 2025 and January 14, 2026. In addition, there has been no assessment of impacts to the eastern migratory caribou population. Given the importance of Atik (caribou) to our people, and to our Treaty and inherent rights, these gaps mean that it will be impossible to undertake a meaningful impacts to rights analysis.

Our concerns about caribou have not been addressed in the Final IS. The March 2, 2026 response table we received indicates that the proponent considers our concerns as “out of scope” and “will not be addressed,” or refers to addenda that have not yet been produced.

Our concern on the impact of the road to caribou migration routes, expressed in our January 14, 2026 letter, was misconstrued in the proponent’s March 2nd response table as being about road route alternatives and the selection of a preferred route alternative. The concern we had raised had to do with

¹⁰ Webequie Supply Road, Tailored Impact Statement Guidelines, p. 85.

the fact despite what was claimed in the Impact Statement, there was no discussion of the issue of caribou travel corridors, and the proponent failed to present any data on existing caribou migration routes, nor did the proponent present any analysis of the impact of the proposed road on caribou migration and its long-term, population-level consequences. The response of the proponent (comment #11 in the March 2nd response table) does not respond to these concerns, and makes reference to “Addendum 7” which has not yet been produced.

While we understand that the proponent has rated the cumulative impact of the project to caribou as “significant,” the analysis provided in the Final IS does not provide a full accounting of the impacts to caribou, including the eastern migratory caribou. This is unacceptable. We must understand the true extent of the cumulative impact of the project to caribou, if we are to understand the project’s impacts to our inherent and Treaty rights.

8. The Final IS does not provide information on the impact of the “floating road” structure on peatlands and water flows.

The proponent attempts to argue that the road will “float” on the peatlands below, while in reality the road will rest on top of compressed peat. This technique is already the standard practice for constructing roads in peatlands. It cannot, in and of itself, be considered a “mitigation measure.” We echo the concerns of the Wildlife Conservation Society of Canada (WCS), which commented on the WSR draft IS, saying that

The ‘floating road’ should be acknowledged as the standard and most economically viable construction approach for this landscape. The EAR/IS must then, therefore, recognize the inherent impacts associated with this ‘floating road’ construction methodology, and must then demonstrate efforts to avoid and minimize of impacts to soils, hydrology and the peatlands ecosystem *within* the approach of using ‘floating road’ construction.¹¹

As part of the description of impacts, we require the following, which was also requested by WCS:

The proponent must provide an up-to-date and comprehensive review of environmental impacts of ‘floating roads’ on peatland soils, hydrology and the peatlands ecosystems and provide evidence to support proposed approaches for how these impacts will be avoided or minimized. ... Additionally, the proponent must provide sufficient information on water management, waterbody diversions, dewatering and deposition activities, as well as sufficient description of how peatland type is being considered in the road corridor to demonstrate that impacts to hydrology are being sufficiently considered and efforts are being taken to avoid and minimize adverse environmental impacts.¹²

Finally, the proponent claims in Section 21 (p. 273) of the Final IS, that “The assessment of cumulative effects on Indigenous Peoples and Impacts to the Exercise of Aboriginal and Treaty Rights is still to be determined and the assessment has not been fully completed due to limited input from communities on their interpretation or expressed impacts to their rights.” We point out that, in the case of Attawapiskat

¹¹ <https://iaac-aeic.gc.ca/050/evaluations/proj/80183/contributions/id/65844>

¹² <https://iaac-aeic.gc.ca/050/evaluations/proj/80183/contributions/id/65844>

First Nation, the “limited input from communities on their interpretation or expressed impacts to their rights” is a direct consequence of the major information gaps that still exist on the biophysical impacts of the project and their cumulative effects.

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.

Pauline Tookate, Attawapiskat Director of Operations, pauline.tookate@attawapiskat.org

Irene Linklater, Interim CEO Attawapiskat First Nation, irene.linklater@attawapiskat.org

Noel Tookate, Attawapiskat First Nation Lands & Resources, noel.tookate@attawapiskat.org

Stephen O’Neill, Legal Counsel, soneill@nncfirm.ca

Dorothee Schreiber, Environment Advisor, dorothee@tamarackresearch.com

Michael Fox, Webequie Supply Road Regional Consultation Lead, michael.fox@supplyroad.ca