



## **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)

**To:** Webequie Supply Road Project  
Impact Assessment Agency of Canada  
600-55 York Street  
Toronto, Ontario M5J 1R7  
Telephone: 416-952-1576  
Email: [webequie@iaac-aeic.gc.ca](mailto:webequie@iaac-aeic.gc.ca)

**Re: Constance Lake First Nation Comments on Webequie Supply Road Impact Assessment Report and Conditions of Approval**

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Please find attached Constance Lake First Nation's comment submission on the Webequie Supply Road (WSR) Impact Assessment Report and Conditions of Approval that was released for review in April 2026. Constance Lake First Nation (CLFN)'s participation in this process has included a technical review of the draft and final EAR/IS documentation, analysis of proponent and regulator responses to CLFN review and comments, a review of the Impact Assessment Report, analysis of the conditions of approval and extensive community engagement activities to capture community feedback related to the project. The attached submission represents the outcomes of these activities and outlines the outstanding concerns that CLFN has regarding the project.

While our Nation has concerns about the environmental impacts of WSR, CLFN is generally supportive of Webequie First Nation (WFN; the Proponent) asserting their sovereignty and jurisdiction by establishing road access between their community and the Ring of Fire mining area. We continue to recognize the importance of Webequie's efforts to secure economic opportunities, improve infrastructure, and better the lives of their members, and we respect their right to pursue development on their terms.

The WSR is a major infrastructure undertaking in a relatively pristine, ecologically sensitive and culturally significant region. Approval of the project comes with risks and uncertainties. While Canada's proposed conditions have the potential to strengthen monitoring and adaptive management of the project, it is CLFN's perspective that this approach shifts the focus from impact avoidance to impact management after approval. It is critical that all parties, the Proponent, Ontario and Canada work proactively to mitigate

the environmental and cultural risks. As such, CLFN's comments attached recommend amendments to the draft conditions of approval to strengthen the effectiveness of the proposed conditions.

CLFN has actively participated in the Environmental and Impact Assessment process in good faith with the intention of sharing our knowledge, ideas and concerns. We have expressed the desire to meet directly with Webequie members to discuss the project and have initiated this conversation. While we are disappointed with the lack of response from WFN, the request stands. CLFN remains committed to constructive dialogue and regional collaboration. We are prepared to work alongside other Nations, governments, and proponents to ensure that development in our homelands proceeds in a way that is respectful, balanced, and aligned with our values, rights, and responsibilities to the land.

Respectfully yours,

On behalf of Constance Lake First Nation Chief & Council

<Original signed by>

Chief Richard Allen, Constance Lake First Nation First Nation

- cc. Roger Wesley, CLFN ([Roger.wesleyr@clfn.on.ca](mailto:Roger.wesleyr@clfn.on.ca))  
Bertha Sutherland., CLFN ([bertha.sutherland@clfn.on.ca](mailto:bertha.sutherland@clfn.on.ca))  
Chief Lorraine Whitehead, WFN ([lorrainewh@webequie.ca](mailto:lorrainewh@webequie.ca))  
Deputy Chief Cornelius Wabasse, WFN ([corneliusw@webequie.ca](mailto:corneliusw@webequie.ca))  
Michael Fox, Webequie Supply Road ([michael.fox@supplyroad.ca](mailto:michael.fox@supplyroad.ca))  
Don Parkinson, AtkinsRéalisis Inc. ([don.parkinson@atkinsrealis.com](mailto:don.parkinson@atkinsrealis.com))  
Sasha McLeod, MECP ([sasha.mcleod@ontario.ca](mailto:sasha.mcleod@ontario.ca))  
Dorothy Moszynski, MECP ([dorothy.moszynski@ontario.ca](mailto:dorothy.moszynski@ontario.ca))  
Kimberly Jorgenson, Four Rivers Inc. ([kjorgenson@fourrivers.group](mailto:kjorgenson@fourrivers.group))  
Jennifer Duncan, Four Rivers Inc. ([jduncan@fourrivers.group](mailto:jduncan@fourrivers.group))  
Shannon Costigan, Four Rivers Inc. ([scostigan@fourrivers.group](mailto:scostigan@fourrivers.group))  
Andrew Bubar, Tamarack Environmental. ([andrew@tamarackenvironmental.ca](mailto:andrew@tamarackenvironmental.ca))  
Annie Young, Tamarack Environmental ([annie@tamarackenvironmental.ca](mailto:annie@tamarackenvironmental.ca))



# Comments on Webequie Supply Road Impact Assessment Report and Conditions of Approval

*May 22, 2026*

Submitted by: Constance Lake First Nation



The Webequie Supply Road (WSR; the Project) is a proposed all-season gravel road being advanced by Webequie First Nation (WFN; the Proponent). The Project includes approximately 107 kilometres of new road connecting Webequie First Nation to the Ring of Fire region near McFaulds Lake and is intended to support mineral development and improve year-round access. The WSR impacts a region where Constance Lake First Nation (CLFN) has long maintained cultural ties.

As part of its review of the WSR Environmental Assessment Report/Impact Statement (EAR/IS), CLFN submitted comments and recommendations to the Proponent and to Provincial and Federal regulators. Responses have since been provided by the Proponent and Ontario, and Canada has released draft Conditions of Approval in the draft Impact Assessment (IA) Report. The Ontario Ministry of the Environment, Conservation and Parks (MECP) has concluded that the Provincial Environmental Assessment (EA) meets the requirements of the Environmental Assessment Act and recommended standard conditions of approval.

CLFN has prepared this submission to address the extent to which these responses and proposed conditions meaningfully address key concerns, including Indigenous participation and recognition, fish and wildlife, current use, cultural values, cumulative effects, and follow-up monitoring.

CLFN remains broadly supportive of WFN's desire to develop the WSR as a means of providing year-round access to their reserve community. However, through our review of the draft IA conditions we have identified a number of issues where we raised concerns that have not been addressed by the Proponent. Across disciplines, the Proponent and the Crown have responded the vast majority of our concerns as:

- Outside the scope of the EA/IA,
- Deferred to future design or permitting, or
- Assigned to a future "ultimate owner/operator."

While Canada's proposed conditions have the potential to strengthen monitoring and adaptive management, they largely rely on post-approval processes and do not require many of the substantive measures requested by CLFN prior to construction.

This results in several overarching gaps. Baseline information across multiple valued components remains limited and yet this limited data is relied upon to support effects predictions and significance determinations. Cumulative effects conclusions are maintained despite concerns that they do not reflect existing conditions or anticipated development pressures within CLFN's Homelands. Core issues such as access control, community safety, and governance are deferred without enforceable requirements at the approval stage. At the same time, Indigenous participation is framed procedurally,

without clear recognition, defined roles, or decision-making authority for CLFN, particularly where key programs are deferred.

As a result, risks to fish habitat, surface water, groundwater, road stability, health effects, and social impacts from increased access remain unaddressed.

While the MECP has concluded that the EAR/IS provides sufficient information to support decision-making, this is based on their narrow interpretation of the scope of the EA/IA, rather than resolution of the substantive issues raised by CLFN. The continued reliance on follow-up monitoring and future planning reinforces the pattern identified above: key risks and uncertainties are acknowledged but deferred.

From CLFN's perspective, this approach shifts the focus from impact avoidance to impact management after approval. While monitoring and adaptive management are important, they do not replace the need for robust baseline data, clearly defined mitigation measures, and enforceable governance frameworks prior to construction.

## Amendments to the Draft IA Conditions

CLFN recommends the following amendments to the draft conditions of approval (new language added in bold):

CLFN should be listed because the project affects its rights and because it has been actively engaged:

1. Amend Section 1.14 of the Decision Statement to "*Indigenous groups means the following Indigenous peoples: Aroland First Nation, Attawapiskat First Nation, **Constance Lake First Nation**, Eabametoong First Nation, Fort Albany First Nation, Kasabonika Lake First Nation, Kashechewan First Nation, Marten Falls First Nation, Neskantaga First Nation, Nibinamik First Nation, Webequie First Nation, Weenusk First Nation.*"
2. Amend Condition 2.2.1 to state : "*provide a written notice of the opportunity for the parties being consulted to present their views and information on the subject matter of the consultation **and commensurate capacity support to meaningfully participate;***"

CLFN has requested that baseline data gaps for water quality, fish and fish habitat be filled prior to ground disturbance, and that aquatic monitoring needs to continue for the life of the Project:

3. Amend Condition 3.1.1 to state "*monitor, beginning during construction and **continuing for the life of the Project**, water quality parameters in groundwater and surface water, including total suspended solids, acidity, electrical conductivity,*

*sulphates, nitrates, and heavy metals and metalloids, including aluminum, mercury, arsenic, copper, iron, lead, manganese, nickel, and zinc, **substrate composition, sediment deposition, water temperature, fish passage, and fish use of watercourses and crossings** in waters frequented by fish;"*

4. Add a new condition between 2.4.1 and 2.4.2 that reads: "**a list of locations where baseline work was not completed during the environmental assessment phase and where baseline work will be completed prior to ground disturbance, with a focus on water crossings and sturgeon;**"
5. Add a new condition between 3.1.1 and 3.1.2 that reads: "**monitor, beginning during construction and continuing for the life of the Project, the adverse effects of the Project on fish species of importance, including but not limited to Lake Sturgeon (*Acipenser fulvescens*) and "**

CLFN has identified the need to address the risks of missing and murdered Indigenous women and girls that arises from temporary work camps and from new roads:

6. Amend Condition 5.2.1 to state : "*implement a workplace anti-harassment, anti-bullying, anti-discrimination and anti-violence policy that incorporates gender-appropriate, gender-specific, and culturally appropriate policies and processes, including sexual harassment and assault counselling as well as confidential and culturally sensitive care **with special attention for the risks of Missing and Murdered Indigenous Women and Girls;***

CLFN requests specific recognition of certain species of importance for ongoing monitoring:

7. Amend Condition 6.8.1 to state: "*monitor adverse effects to the population, habitat and predator/prey dynamics of wildlife of importance to Indigenous groups **including but not limited to wolverine (*Gulo gulo*), caribou (*Rangifer tarandus caribou*) and moose (*Alces alces*); and"***

CLFN also expects to be added as one of the Nations listed in Table 13 of the draft Impact Assessment Report.

Finally, CLFN requests that the Proponent and Crown clarify how they will mitigate engineering and design risks that arise from the fact that the road is now being designed, engineered and procured at the same time as it is being constructed under the new construction timelines released by Ontario.

These targeted refinements would strengthen the effectiveness of the proposed conditions by ensuring that key uncertainties are addressed, CLFN participation is meaningful and enforceable, and monitoring frameworks are capable of detecting and responding to project-related effects.

## Accommodation Measures

CLFN requests that the Federal and/or Provincial Crown governments offer the following accommodation measures to CLFN for the impacts of the WSR to our ability to exercise our rights and interests that cannot be mitigated by the WSR Project:

1. A commitment to fund the costs for a road development Project that our Nation wishes to advance as the Proponent (similar to the structure by which the Crown has worked with WFN on the WSR). This commitment would take the form of a binding Memorandum of Understanding that will be followed by a more detailed commitment to work with our Nation on the Project.
2. A commitment to provide funding to establish and operate a CLFN-led blastomyces and blastomycosis sampling and research hub in the community as recommended by the jury in the coroner's inquest into the deaths of five CLFN members following an outbreak of the lung disease.
3. Funding for CLFN-led research and monitoring regarding the impacts of steel culverts and associated road infrastructure on Brook Trout (Speckled Trout), fish passage, aquatic habitat connectivity, and harvesting conditions within CLFN Territory.
4. A commitment to provide funding for community infrastructure initiatives required to address the cumulative social and economic pressures associated with increased industrial access and regional development linked to the WSR and Ring of Fire corridor.

A summary of commitments made by the Proponent in relation to the WSR (Table 2) and a summary of CLFN's outstanding concerns on the WSR that have not yet been fully addressed by the Proponent, Ontario or Canada (Table 3), are shown below. These tables provide a more detailed documentation of how CLFN assesses the responses by the Crown and the Proponent.

## Community Engagement

CLFN staff, along with assistance from Four Rivers Environmental Services (Four Rivers) and Tamarack Environmental Associates (Tamarack), facilitated community engagement sessions to gather input and perspectives from on the draft federal IA conditions and IA Report for the WSR Project. Engagement sessions were held with land users, knowledge holders and cultural/spiritual practitioners. This included women, youth, elders and the general membership. These engagement sessions occurred on May 19<sup>th</sup> and May 20<sup>th</sup>, 2026. The findings of this submission have been driven by the input and perspectives provided by CLFN members during all of the community engagement sessions shown in

Table 1.

## Summary of Engagement Activities

All sessions included a short presentation by CLFN, Four Rivers and Tamarack, followed by an extended discussion period where members asked questions and shared their perspectives on the Project.

Table 1: Summary of 2026 community engagement sessions on WSR EAR/IS

Date and Time	Location	Approximate # of CLFN Attendees
<b>May 19, 2026</b> <b>2pm – 4pm</b>	CLFN Lands and Resource Office	4
<b>May 19, 2026</b> <b>5pm – 7:30pm</b>	CLFN Community Hall	14
<b>May 20, 2026</b> <b>10am-12pm</b>	CLFN Boardroom	5
<b>Total Member Engagement Count</b>		23

## Summary of Community Input

CLFN staff, Four Rivers and Tamarack all took extensive notes during all of the community engagement sessions on the draft IA Report and IA Conditions. The following list presents comments raised during these engagement sessions which are in addition to the comments raised during the engagement on the draft EAR/IS and responses to CLFN comments on the EAR/IS:

- Requests for stronger measures within the Community Readiness Strategy to address risks associated with increased regional access and industrial development, including specific protocols and supports related to Missing and Murdered Indigenous Women and Girls (MMIWG), community safety, and protection of vulnerable community members.
- Concerns regarding habitat alteration, sensory disturbance, and the determination that effects on culturally important wildlife species such as moose and caribou would not be significant, despite the importance of these species to harvesting, food security, and the exercise of Aboriginal and Treaty rights.
- Requests for additional baseline information, monitoring, and assessment related to sturgeon populations, including the potential effects of the Project on sturgeon movement, habitat connectivity, and aquatic ecosystems.

- Calls for increased investment in transportation safety infrastructure along Highway 11 and regional transportation corridors in anticipation of increased industrial traffic, workforce movement, and cumulative regional development pressures associated with the Ring of Fire.
- Concerns regarding jurisdictional and governance issues related to policing, emergency response, and enforcement responsibilities associated with the future operation of the road and increased access into the region.
- Concerns that increased road access would lead to an increase in littering and garbage along the WSR and other proposed road development projects.

## Summary and Recommendations

CLFN has consulted our membership extensively and has engaged in the regulatory process for the WSR Project in good faith with Canada, Ontario and the Proponent. We request that our amendments to the conditions of approval be incorporated into the decision statement, and request that Ontario and Canada meet with our Nation to discuss the requested accommodation measures for this Project and for other near term Projects that affect our ability to exercise our rights.

**Table 2. Summary of Addressed Concerns, Based on Proponent and Ontario's Responses to CLFN Comments and Recommendations**

Subject	Comment #	Details
Upholding permitting standards and consultation	2, 3	A new EA commitment confirms ongoing meaningful consultation with CLFN, and the Project Team committed to continued engagement, including a meeting with Webequie leadership and expanded documentation of engagement activities in the Final EAR/IS.
Ecological Restoration	14, 30	The Proponent clarified that the 70–75% restoration target applies to upland habitat only, and that wetland and riparian restoration criteria will be developed independently through the CEMP and OEMP. The Ecological Restoration Plan will be developed in consultation with Indigenous communities and will include culturally significant and medicinal plant species where identified.
Wildlife mitigation, monitoring, and movement	15, 20, 27	Commitments were added to include wildlife-specific noise and light mitigation, conduct monitoring through inspections, and incorporate wildlife crossings and passage features into road design where practicable.
Invasive Species Management Plan	16	Commitments were added to include proactive invasive species prevention measures, equipment cleaning protocols, disturbed site remediation requirements, and long-term monitoring and removal measures in the Invasive Species Management Plan.
Road surfacing and dust mitigation	17	A commitment was documented to define the extent of road surface treatment.
Spill prevention and emergency response	18	Commitments were documented to develop and implement Spill Prevention and Emergency Response Management Plans and Petroleum Handling and Storage Plans as part of the CEMP and OEMP.

Species at risk habitat offsetting	22	Species at risk permitting and offsetting, where required, will be addressed during detailed design and permitting. CLFN considered this addressed.
Access control engagement and oversight	25	The Proponent committed to engaging First Nations on implementation and oversight of access control measures and monitoring/enforcement where applicable. Ontario also committed to continued dialogue with potentially affected communities regarding corridor and adjacent lands management.
Bald Eagle nest contingency protocol	26	Contingency protocols, reporting to regulators, and notification to impacted First Nations if a Bald Eagle nest is disturbed or destroyed will be addressed in the CEMP / Wildlife Management and Monitoring Plan.
Benthic macroinvertebrate sampling methodology	13	The Proponent confirmed that sampling followed the Ontario Benthic Biomonitoring Network Manual and provided additional methodological details in the Final EAR/IS appendices.
Hydrologic model calibration and flow estimates	34	The Proponent updated the hydrologic approach using local data and reviewed the approach with MTO Highway Standards Branch. CLFN considered this addressed.
Two-dimensional hydraulic modelling	35	The Proponent committed to 2D hydraulic modelling for bridge crossings 20 metres or greater, with additional bathymetry and channel geometry data collection during detailed design.
Sediment sampling and sediment monitoring	37	The Proponent will consider sediment sampling at water crossings and downstream areas, and MECP expects consideration of sediment modelling, monitoring, and adaptive management in decision-making. CLFN considered this addressed.

Predictive water quality modelling and climate projections	38	Climate projections have been incorporated into hydrologic modelling, and the future owner/operator will consider whether predictive water quality modelling is required or beneficial during detailed design.
Numerical groundwater modelling	41	The Proponent acknowledged groundwater modelling limitations and committed to considering enhanced modelling during detailed design and permitting, where data are available. CLFN considered this addressed.
Groundwater recharge and water balance	42	Quantitative changes to recharge volumes were added to the Final EAR/IS using a water balance method.
Aggregate pit dewatering and groundwater levels	45	Groundwater drawdown and zones of influence for aggregate sites were added to the Final EAR/IS, and future monitoring will assess changes to groundwater levels and flow.
Groundwater-dependent wetlands	46	Wetlands are mapped in the Final EAR/IS, and groundwater-wetland interactions are addressed through Sections 8 and 11, with potential for more detailed field investigations during detailed design.
Erosion and sediment control modelling	51	The Proponent will consider erosion prediction models and develop site-specific erosion control plans during detailed design and permitting. CLFN considered this addressed.
Esker assessment	53	The Proponent maintains that existing baseline studies are adequate, with further esker assessment to be considered during detailed design and permitting. CLFN considered this addressed.

FPIC	55	The Final EAR/IS includes a definition of FPIC and describes how FPIC principles were considered within engagement, Indigenous knowledge integration, and rights assessment frameworks. CLFN considered this addressed.
Archaeological assessment and historical shorelines	57	Commitments were documented requiring archaeological assessment reports and recommendations to be completed before ground disturbance and before issuance of MNR permits.
Employment and procurement opportunities	59	Commitments were documented regarding procurement opportunities for local and Indigenous businesses and underrepresented groups, with monitoring through the Community Readiness Plan.
Noise and vibration monitoring / complaint protocol	66	Commitments were documented to conduct noise and vibration monitoring at aggregate extraction and blasting sites and to develop a Complaints Protocol for construction and operations.
Sustainability alignment and monitoring	70	The Final EAR/IS will include a table aligning the Project with UN Sustainable Development Goals and national climate objectives, supported by a Sustainability Management Plan.

**Table 3. Summary of Unaddressed Concerns, Based on Proponent and Ontario’s Responses to CLFN Comments and Recommendations and the draft federal Conditions of Approval**

Subject	Comment #	Rationale
Baseline data sufficiency and predictive modelling	1, 28, 29, 33, 39, 43, 47	CLFN requested comprehensive, multi-year baseline data and predictive modelling across environmental components. The Proponent relies on existing data and future monitoring, without requiring completion or validation of baseline datasets prior to construction.
Fish habitat baseline, crossings, and sampling gaps	8, 9, 10, 12	Gaps remain in fish habitat characterization, including redd surveys, eDNA coverage, and sampling completeness; no binding commitments were made.
Cumulative effects and significance	4	The Proponent maintains existing methodology and conclusions without revising significance determinations.
Moose significance determination and indigenous perspectives	21	The Proponent maintains that effects on moose are not significant and does not revise the determination. Indigenous knowledge is referenced but not incorporated into how significance is defined, failing to reflect impacts on food security, cultural practices, and land use.
Caribou disturbance and habitat loss	23, 24	While additional analysis was provided in Addendum 7, the Proponent does not revise the significance determination. Sensory disturbance is not recognized as a significant residual effect, and broader buffer distances are not used to reassess habitat loss, underestimating displacement and effects on harvesting and cultural use.
Road access controls and security	5, 58	Access control is deferred to future discussions; no enforceable commitments are provided.

Road design, safety, and engineering risks	7, 54	Key design and safety elements are deferred to detailed design and future decision-making.
Indigenous participation and governance	6, 56, 69	Participation is referenced and deferred. No defined roles, authority, or guarantees are established.
Country foods contamination and food security	19	No direct monitoring of contaminants in country foods or human exposure pathways. Monitoring programs are deferred to the future owner/operator.
Soil and water contamination pathways	32	Baseline soil characterization prior to disturbance is deferred to future stages by the ultimate owner/operator.
Thermal impacts on fish habitat	40	No commitment to assess or monitor thermal impacts prior to construction, deferred to future permitting and post EA regulatory processes.
Quantitative thresholds and significance criteria	44	No standardized thresholds for determining significance are established.
Geotechnical, hydrogeological, and climate-related risks	36, 48, 49, 52	Key risks are deferred to the ultimate owner/operator during the detail design and permitting phase and not assessed prior to construction.
ARD/ML and geochemical uncertainty	50	No requirement for expanded geochemical testing prior to approval, deferred to ultimate owner/operator during the detail design and permitting phase for the Project.
Air quality, dust, and atmospheric pathways	60, 61, 62, 63	The assessment does not adequately link project effects to culturally relevant receptors and lacks robust baseline data, defined thresholds, and

		enforceable exceedance or response protocols. Monitoring and key elements are deferred to future stages.
GHG emissions and peatland carbon loss	64	Consideration of GHG emissions and peatland carbon loss are deferred to future design and permitting, rather than addressing them in the EA/IS.
Noise, vibration, and culturally sensitive sites	65	The Proponent relies on general mitigation measures and modelling, but does not demonstrate that CLFN-identified culturally significant sites or harvesting areas were explicitly incorporated into monitoring or thresholds.
Cumulative atmospheric effects and regional coordination	67	The Proponent concludes cumulative dust and noise effects are not significant and does not commit to participating in a regional cumulative effects framework. By limiting the assessment to a project-level approach and treating regional coordination as out of scope, the analysis does not account for combined effects from reasonably foreseeable development,
Invasive species as an environmental hazard	68	While invasive species are discussed elsewhere and a management plan is proposed, they are not incorporated as an environmental hazard in Section 24 as requested. Consideration of long-term risks is deferred to future planning, leaving the concern unaddressed at the assessment stage.
Access-related aquatic impacts and pollution	11	No specific monitoring of access-related pollution is required during the EA/IS process.