



First Nation Council

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Via email - Caitlin.Cafaro@iaac-aeic.gc.ca

Impact Assessment Agency of Canada
600-55 York Street
Toronto, Ontario M5J 1R7

Attn: Caitlin Cafaro, Senior Consultation Analyst, Ontario Region

Dear Ms. Cafaro,

Re: Fort Albany First Nation's Comments on the Draft Impact Assessment Report for the Webequie Supply Road Project

Fort Albany First Nation ("FAFN") submits this letter in response to the Impact Assessment Agency of Canada's Draft Impact Assessment Report ("Draft IA Report") and Draft Potential Conditions for the Webequie Supply Road Project ("WSR;" "Project").

This submission includes the following appendices:

- Appendix A – FAFN Round 2 Technical Comments on the Proponent's Responses to Round 1 Comments and Associated Addendum Materials;
- Appendix B – FAFN Comments on Webequie Supply Road EA/IS Addendum 1; and
- Appendix C – Fort Albany First Nation Targeted Rights Impact Assessment for the Webequie Supply Road Project.

The attached materials provide further detail regarding FAFN's concerns and should be read together with this letter.

We have received the comments submitted by Attawapiskat First Nation on May 21, 2026. We share their serious concerns about the deficiencies in the process and substance of this environmental assessment and the Ministry's review, and we endorse and adopt their comments in supplement to those in this letter.

FAFN has been unable to properly review all of the materials, including all of the 700+ pages in additional addenda released by the proponent, during this short review period. This has been compounded by our earlier inability to fully review the EAR. **FAFN has also been unable to consult with our membership while preparing this submission.** The short comment period overlapped with our spring goose hunt. We have also been in a state of emergency due to spring flooding, and subsequent issues with our community water supply that left our community without potable water. Most of our members are currently evacuated and

living out of hotels in the south. The flood-related evacuation and hunting season were both foreseeable and known, and we have warned in prior correspondence that these factors would be a barrier to our meaningful participation during this time.

FAFN has consistently raised procedural and substantive concerns regarding the adequacy of the assessment process and content. This has included serious concerns related to cumulative effects, induced regional development, impacts on Treaty and Aboriginal rights, governance and stewardship responsibilities, climate change, peatlands and hydrology, wildlife and habitat connectivity, and the broader long-term implications of permanent all-season access within the Ring of Fire region. FAFN has also repeatedly raised concerns regarding the adequacy of the assessment methodology, the sufficiency of the evidentiary record, the treatment of uncertainty, and the limitations imposed by expedited and overlapping assessment processes.

FAFN remains concerned that the current federal assessment record does not yet provide a sufficient basis for informed, precautionary, and rights-informed decision-making regarding the Project and its long-term implications for Treaty 9 territory, interconnected ecological systems, and the meaningful exercise of Treaty and Aboriginal rights.

In particular, FAFN remains concerned that the assessment continues to evaluate the Project too narrowly as a stand-alone undertaking despite its acknowledged role in facilitating broader regional infrastructure expansion, mineral development, changing access patterns, and long-term regional transformation within the Ring of Fire region. FAFN further remains concerned that important uncertainty regarding cumulative effects, peatland and hydrological response, wildlife and habitat connectivity, climate-related impacts, downstream effects, and long-term rights impacts continues to be addressed primarily through future monitoring, adaptive management, future studies, or future regional processes rather than being sufficiently resolved prior to decision-making.

FAFN also remains concerned that the expedited and continuously evolving nature of the assessment process materially constrained FAFN's ability to complete broader community-led assessment and engagement processes relating to Project impacts on Treaty and Aboriginal rights. As previously communicated to IAAC, FAFN had intended to undertake a broader community-led rights impact assessment process informed by detailed review of the final assessment record and engagement with members and knowledge holders. However, compressed timelines, overlapping review processes, and the continued evolution of the assessment record significantly constrained FAFN's ability to complete this work prior to the release of the Draft IA Report.

FAFN's targeted Rights Impact Assessment ("RIA"), attached as Appendix C, was therefore prepared within significant process constraints and should not be interpreted as exhaustive. Nevertheless, the RIA identifies materially greater and more interconnected potential impacts on FAFN's harvesting systems, cultural continuity, governance responsibilities, stewardship obligations, and long-term exercise of Treaty and Aboriginal rights than reflected in the Draft IA Report.

This submission should be read together with FAFN's previous submissions to IAAC throughout the assessment process, including prior technical comments, correspondence regarding process concerns, and submissions relating to impacts on Treaty and Aboriginal rights.

1. Limitations of the Assessment Process

Several features of the federal impact assessment process have limited the completeness, stability, and reliability of the assessment record available to support the federal public-interest decision regarding the Project. These process limitations contribute directly to ongoing uncertainty regarding cumulative effects, impacts on Indigenous Peoples, impacts on the exercise of Treaty and Aboriginal rights, mitigation effectiveness, and the broader regional implications of the Project and related infrastructure within the Ring of Fire region.

1.1 Fragmented and Overlapping Assessment Processes

The WSR, Marten Falls Community Access Road (“MFCAR”), and related Ring of Fire infrastructure projects continue to proceed through fragmented and overlapping assessment and regulatory processes despite their functional interdependence and shared role in facilitating broader regional development and industrial access within the Ring of Fire region.

The WSR forms part of a broader pattern of transportation and development infrastructure intended to facilitate mineral development and long-term regional transformation across interconnected ecological, hydrological, cultural, and governance systems. However, these projects are being assessed through separate processes operating on different timelines, records, and assumptions regarding cumulative regional change.

This fragmented approach limits the ability to meaningfully assess cumulative effects, induced development, changing access patterns, and the broader implications of interconnected infrastructure for Indigenous Peoples, Treaty and Aboriginal rights, and downstream communities across Treaty 9 territory. It also creates substantial practical burdens for participating Indigenous Nations, which must simultaneously review multiple large and evolving assessment records relating to interconnected projects with overlapping cumulative effects pathways and regional implications.

As a result, the current federal assessment process does not provide a sufficiently integrated assessment of the broader pattern of development, access, ecological change, and long-term regional transformation associated with the proposed Ring of Fire road network and related industrial development.

1.2 Incomplete and Continuously Evolving Assessment Record

The assessment record continued to evolve throughout the final stages of the federal review process.

The Final Impact Statement and supporting materials consist of thousands of pages of technical reports, appendices, addenda, response tables, and cross-referenced materials distributed across multiple stages of the assessment process. Important information relating to Indigenous rights, cumulative effects, wildlife, species at risk, vegetation, human health, and regional effects was introduced or revised through multiple additional addenda released between March 26 and April 8, 2026, during the final stages of review and decision-making.

These additional addenda (which added over 700 additional pages of content to review) addressed substantive issues central to the federal assessment of impacts on Indigenous Peoples, impacts on the exercise of Treaty and Aboriginal rights, cumulative effects, and species at risk. Important components of the assessment record therefore continued to evolve

while Indigenous Nations and technical reviewers were simultaneously attempting to assess the adequacy and implications of the overall record.

The ongoing refinement and supplementation of core assessment materials during the final stages of the process has made it difficult to determine whether the record before the Agency provides a sufficiently complete, stable, and internally consistent basis for informed federal decision-making regarding the Project and its long-term implications. It also means that the Agency's took into consideration comments from First Nations (including FAFN) and the public that were themselves based on incomplete information and were, in FAFN's case, known to be incomplete and preliminary.

1.3 Compressed Timelines and Constraints on Meaningful Indigenous Participation

The timelines associated with the final stages of the federal impact assessment process did not provide a meaningful opportunity for Indigenous participation, technical review, community engagement, and Indigenous-led assessment prior to decision-making.

The timelines for review of the Final Impact Statement, addenda, Draft Impact Assessment Report, draft conditions, and associated response materials were exceptionally compressed given the scale, complexity, and evolving nature of the assessment record, particularly in the context of overlapping review processes associated with related Ring of Fire infrastructure projects. These constraints were further compounded by the continued release of new information and addenda during the final stages of the process, and the timing for review of that new information being tied to a comment period that was already insufficient.

This approach has made it extremely challenging to adapt, plan, and effectively allocate resources. It has also shifted critical periods of the consultation process into a period when it was foreseeable and known that FAFN would not be able to effectively engage due to factors such as the spring hunt (which is a very important exercise of our rights and culture and is a core aspect of our members' wellbeing and food security) and the spring flood (and likely associated evacuation).

These constraints materially limited FAFN's ability to undertake comprehensive technical review, conduct community engagement, validate Indigenous knowledge, and assess the implications of the Project for Treaty and Aboriginal rights. The continuing release of new information and revised materials during the final stages of the process further complicated meaningful review of the record as a whole.

The practical burden associated with reviewing multiple large and interconnected assessment records simultaneously was particularly significant for downstream communities such as FAFN, which continue to assess the broader cumulative and regional implications of the proposed Ring of Fire road network and related industrial development.

In FAFN's view, the timelines associated with the final stages of the federal review process did not adequately reflect the scale of the Project, the significance of the potential impacts, or the Crown's obligations in relation to consultation and accommodation under section 35 of the Constitution Act, 1982.

The requirements of the duty to consult and accommodate are context-specific and, in this case, deep. They prevail over, and cannot be constrained by, particular statutory processes. Where a

statutory process is not sufficient to meet the duty, it is that process that must be adapted or supplemented; the duty cannot be truncated to fit the process. As the Supreme Court of Canada stated in *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, [2017 SCC 40](#):

[22] In our view, **while the Crown may rely on steps undertaken by a regulatory agency to fulfill its duty to consult in whole or in part and, where appropriate, accommodate, the Crown always holds ultimate responsibility for ensuring consultation is adequate. [...] Where the regulatory process being relied upon does not achieve adequate consultation or accommodation, the Crown must take further measures to meet its duty. This might entail filling any gaps on a case-by-case basis or more systemically through legislative or regulatory amendments** (see e.g. *Ross River Dena Council v. Yukon*, [2012 YKCA 14](#), 358 D.L.R. (4th) 100). Or, it might require making submissions to the regulatory body, requesting reconsideration of a decision, or **seeking a postponement in order to carry out further consultation in a separate process before the decision is rendered.** [emph added]

Further, as the Court stated in *Chippewas of the Thames First Nation v. Enbridge Pipelines Inc.*, [2017 SCC 41](#):

[32] The Chippewas of the Thames argue that meaningful Crown consultation cannot be carried out wholly through a regulatory process. We disagree. As we conclude in *Clyde River*, **the Crown may rely on steps taken by an administrative body to fulfill its duty to consult** (para. 30). The Crown may rely on a regulatory agency in this way **so long as the agency possesses the statutory powers to do what the duty to consult requires in the particular circumstances** (*Carrier Sekani*, at para. 60; *Clyde River*, at para. 30). However, **if the agency's statutory powers are insufficient in the circumstances or if the agency does not provide adequate consultation and accommodation, the Crown must provide further avenues for meaningful consultation and accommodation in order to fulfill the duty prior to project approval.** Otherwise, the regulatory decision made on the basis of inadequate consultation will not satisfy constitutional standards and should be quashed on judicial review or appeal.

The inadequate and unfair process followed for this IA has paired arbitrary and decontextualized statutory timelines that (for good reason) do not work for us, with an unreasonable and chaotic approach to what we have been expected to do during those timelines, all while dealing with overlapping demands that we cannot meet. In this comment period, we have been wholly dependent on the work of external technical reviewers and advisors, who have a vital role in informing and supporting us, but who cannot speak for us alone. The result is that the duty to consult and accommodate has not been met.

1.4 Deferred Assessment and Reliance on Future Processes

Important aspects of impact assessment, mitigation, monitoring, cumulative effects management, and Indigenous participation have been deferred to future plans, monitoring frameworks, adaptive management processes, permitting stages, and future engagement processes that have not yet been fully developed or assessed.

Throughout the assessment process, responses to reviewer concerns frequently relied on future studies, future permitting, future management plans, future monitoring programs, future

adaptive management measures, or future owner/operator commitments rather than clearly defined measures available for assessment at the current stage of the process.

Many of these future measures remain conceptual and lack sufficient detail regarding implementation, governance, accountability, thresholds for action, decision-making authority, timelines, and enforceability. As a result, it is difficult to meaningfully evaluate whether the proposed measures would effectively mitigate or manage long-term Project-related effects on Indigenous Peoples, Treaty and Aboriginal rights, wildlife, peatlands, hydrology, climate, and cumulative regional change.

This concern is particularly significant where future monitoring and adaptive management are relied upon to address acknowledged uncertainty regarding effects that may be difficult or impossible to reverse once permanent all-season access and related regional development pressures are established.

1.5 Limitations on Meaningful Indigenous-Led Assessment of Rights Impacts

The process limitations described above also have direct implications for the Agency's consideration of Indigenous-led assessment and Indigenous knowledge under section 22(1) of the Impact Assessment Act.

Section 22(1) of the Act requires the Agency to consider impacts on Indigenous Peoples and impacts on the exercise of Treaty and Aboriginal rights, Indigenous knowledge provided with respect to the Project, considerations related to Indigenous cultures, and any assessment of the effects of the Project conducted by or on behalf of an Indigenous governing body.

Throughout the impact assessment process, FAFN has consistently raised concerns regarding the assessment of impacts on harvesting, cultural continuity, stewardship responsibilities, governance, cumulative effects, downstream impacts, and the broader conditions required to meaningfully exercise Treaty and Aboriginal rights over time. FAFN also intended to undertake a broader community-informed assessment of Project impacts on rights and cultural continuity.

However, the compressed timelines, overlapping review processes, and continuously evolving nature of the assessment record, combined with our state of emergency and evacuation and other pressures on our community, materially constrained FAFN's ability to complete this work prior to the current stage of federal decision-making. These constraints also limited opportunities for broader community engagement, iterative validation, and incorporation of Indigenous knowledge regarding long-term cumulative and rights-related effects.

FAFN's targeted RIA, attached as Appendix C, should therefore not be interpreted as exhaustive. Rather, it reflects a focused and precautionary Indigenous-led assessment prepared within constrained process conditions and based on the information reasonably available within the timelines provided.

These process limitations are particularly significant in the context of section 22(1)(q) of the *Impact Assessment Act*, which requires consideration of Indigenous-led assessments conducted by or on behalf of Indigenous governing bodies. Where process conditions materially constrain the ability of Indigenous Nations to undertake and provide such assessments, this necessarily affects the completeness of the information available to support the federal

assessment of impacts on Indigenous Peoples and impacts on the exercise of Treaty and Aboriginal rights.

2. Overarching Concerns with the Draft Assessment Report

2.1 Disconnect Between Acknowledged Uncertainty and Final Conclusions

FAFN is concerned that the Draft IA Report repeatedly acknowledges important uncertainty, adverse pathways of effect, unresolved technical concerns, and the potential for long-term cumulative change, while nevertheless concluding that many Project effects on Indigenous Peoples, Indigenous rights, fish and fish habitat, species at risk, and broader ecological systems are low in magnitude, manageable, or not significant.

Throughout the Assessment Report, IAAC acknowledges concerns relating to cumulative effects, induced regional development, changing access patterns, peatland and hydrological disturbance, wildlife response, habitat fragmentation, downstream effects, and long-term ecological change. The record also acknowledges unresolved concerns raised by federal authorities, provincial reviewers, Indigenous Nations, and external experts regarding issues including peatland hydrology, fish and fish habitat, cumulative effects, species at risk, and long-term monitoring uncertainty.

However, the Draft IA Report often does not clearly explain how these acknowledged uncertainties and unresolved concerns were weighed in reaching conclusions regarding significance, severity, and the adequacy of mitigation measures. In many instances, the analysis relies heavily on generalized assumptions regarding future mitigation effectiveness, future monitoring, adaptive management, and future regulatory processes without clearly demonstrating why the remaining uncertainty is acceptable in the context of a precautionary and rights-informed assessment.

FAFN is particularly concerned by the disconnect between acknowledged impacts on ecological systems and the conclusions reached regarding impacts on Indigenous rights. In several instances, the assessment record identifies moderate or potentially significant impacts on ecological conditions that directly support harvesting and land-based practices while simultaneously concluding that impacts on the exercise of rights are low or manageable. The Draft IA Report does not clearly explain how those conclusions are reconciled.

In FAFN's view, the central issue is whether the Draft IA Report demonstrates a sufficiently transparent and precautionary basis for concluding that the Project's long-term effects are understood well enough to support approval. FAFN remains concerned that the current record does not clearly demonstrate how IAAC reached that conclusion given the scale of acknowledged uncertainty and the potential for interconnected and irreversible effects across Treaty 9 territory.

2.2 Narrow and Fragmented Approach to Assessing Impacts on Indigenous Rights

FAFN is concerned that the Draft IA Report continues to apply a narrow and fragmented framework for assessing impacts on Indigenous Peoples and the exercise of Aboriginal and Treaty rights.

The assessment methodology focuses heavily on localized project overlap, mapped harvesting activity, proximity to the Project corridor, and discrete biophysical pathways of effect. This approach risks understating the broader ecological, cultural, governance-related, and intergenerational conditions necessary to meaningfully exercise rights and sustain a land-based way of life over time.

From FAFN's perspective, Treaty and Aboriginal rights are exercised through interconnected relationships among lands, waters, wildlife, travel routes, harvesting systems, stewardship responsibilities, governance systems, and intergenerational knowledge transmission. FAFN is concerned that the Draft IA Report does not adequately account for these interconnected conditions and instead tends to compartmentalize impacts into discrete valued components and localized pathways of effect.

FAFN is also concerned that the Draft IA Report does not sufficiently engage with Indigenous conceptions of governance, stewardship, and jurisdiction. In many instances, the analysis treats governance impacts narrowly in terms of participation in administrative or regulatory processes rather than considering broader Indigenous responsibilities and authority relating to the stewardship and protection of lands, waters, wildlife, and future generations.

These concerns are particularly significant in light of section 22(1)(q) of the *Impact Assessment Act*, which requires consideration of any assessment conducted by or on behalf of an Indigenous governing body. FAFN's targeted RIA, attached as Appendix C, identifies materially greater concern regarding long-term impacts on harvesting systems, stewardship responsibilities, governance, cultural continuity, and intergenerational rights exercise than reflected in the Draft IA Report.

2.3 Inadequate Assessment of Cumulative Regional Transformation and Induced Development

FAFN is concerned that the Draft IA Report does not provide a sufficiently robust assessment of cumulative effects, induced development, and long-term regional transformation associated with the Project and related infrastructure within the Ring of Fire region.

The assessment record repeatedly acknowledges that the WSR is intended to facilitate broader industrial access and mineral development within the Ring of Fire region and that future mining and infrastructure development are reasonably foreseeable within this regional context. Nevertheless, the Draft IA Report continues to evaluate the Project primarily as a stand-alone undertaking while treating future industrial expansion and regional transformation principally as external cumulative effects considerations rather than as foreseeable forms of change directly enabled by the Project itself.

In FAFN's view, this framing understates the significance of the Project as enabling infrastructure. The introduction of permanent all-season access into a previously roadless region has the potential to fundamentally alter long-term patterns of industrial development, access, harvesting pressure, ecological connectivity, land use, and governance across Treaty 9 territory. However, the assessment continues to place greater analytical emphasis on localized

project effects and defined study area boundaries than on the broader systemic implications of regional transformation associated with permanent industrial access.

The assessment record also acknowledges that cumulative effects may arise through pathways extending beyond the immediate Project footprint, including changing access patterns, ecological fragmentation, downstream effects, and broader regional development pressures. However, the Draft IA Report provides limited explanation regarding how these broader pathways of cumulative change were incorporated into conclusions regarding significance, reversibility, and the adequacy of mitigation.

2.4 Excessive Reliance on Future Mitigation, Monitoring, and Adaptive Management

FAFN is concerned that the Draft IA Report relies extensively on future mitigation refinement, monitoring programs, adaptive management frameworks, future studies, and future regulatory processes to address important areas of unresolved uncertainty.

Throughout the assessment record, IAAC and the proponent frequently rely on future monitoring and adaptive management as the basis for concluding that impacts are expected to remain manageable despite acknowledged uncertainty regarding long-term ecological response, wildlife movement, peatland hydrology, fish and fish habitat, cumulative effects, changing access conditions, and impacts on Indigenous rights.

Monitoring and adaptive management are important tools for environmental management. However, monitoring does not itself prevent impacts from occurring, nor does it resolve uncertainty regarding whether potentially significant effects are sufficiently understood before approval decisions are made. In several instances, important aspects of effects prediction, mitigation effectiveness, thresholds for intervention, governance arrangements, corrective actions, and accountability mechanisms remain conceptual or undefined.

FAFN is particularly concerned that the Draft IA Report frequently relies on future permitting processes and future regulatory frameworks as part of the rationale for concluding that adverse effects are manageable. In many instances, important issues are deferred to future stages of design, permitting, monitoring, or future owner/operator commitments without clearly explaining how future processes will resolve the underlying uncertainty currently identified in the assessment record.

In FAFN's view, the current assessment record does not clearly demonstrate that the proposed mitigation, monitoring, and adaptive management frameworks provide a sufficient basis for concluding that the Project's long-term ecological and rights-related effects are understood well enough to support a precautionary and rights-informed approval decision under the Impact Assessment Act.

3. Specific Comments on the Draft Assessment Report

3.1 Fish and Fish Habitat

FAFN is concerned that the Draft IA Report does not provide a sufficiently reliable or precautionary basis for concluding that Project-related effects on fish and fish habitat are

understood, appropriately mitigated, or unlikely to result in significant adverse effects on Indigenous Peoples and the exercise of Aboriginal and Treaty rights.

Fish and aquatic systems are foundational to FAFN's harvesting practices, food security, travel, cultural continuity, stewardship responsibilities, and land-based way of life. From FAFN's perspective, impacts to fish habitat cannot be separated from impacts to water systems themselves, which are central to the meaningful exercise of Treaty and Aboriginal rights. The rivers, wetlands, peatlands, tributaries, and interconnected aquatic systems within the Hudson Bay Lowlands function as integrated hydrological systems extending far beyond the immediate Project footprint. However, the Draft IA Report continues to assess many aquatic effects primarily through localized watercourse crossings and direct habitat alteration within defined study area boundaries.

The Draft IA Report acknowledges that the Project may affect fish and fish habitat through multiple pathways, including watercourse crossings, altered hydrological conditions, sedimentation, changes to surface water and groundwater interactions, fish passage disruption, changes in water quality, habitat alteration, and cumulative regional effects. The assessment record also acknowledges substantial uncertainty regarding peatland hydrology, groundwater movement, culvert performance, peat compression, long-term settlement associated with the floating road design, and the effectiveness of proposed mitigation measures intended to maintain hydrological connectivity and aquatic function over time.

Federal technical reviewers, including Environment and Climate Change Canada ("ECCC"), identified significant unresolved uncertainty regarding hydrological connectivity, peatland response, culvert design, peat compression, groundwater movement, and the long-term effectiveness of mitigation measures associated with the proposed floating road design. ECCC specifically noted that important information required to adequately characterize baseline conditions and assess potential effects had not yet been collected or produced. ECCC further concluded that uncertainty remained regarding whether Project effects may extend beyond the local geographic context and stated that it could not confidently assess likely or worst-case scenarios for maintaining long-term peatland hydrological function based on the information available in the assessment record.

Despite these acknowledged uncertainties, the Draft IA Report concludes that residual effects on fish and fish habitat are not significant and can be managed through mitigation, monitoring, and adaptive management. FAFN is concerned that the Draft IA Report does not clearly explain how these conclusions were reached given the extent of unresolved uncertainty identified by federal technical experts.

3.2 Caribou, Wolverine, and Species at Risk

The Draft IA Report does not provide a sufficiently reliable or precautionary basis for concluding that the Project's long-term effects on caribou, wolverine, and other species at risk are adequately understood or manageable.

The central concern is that the Project may contribute to long-term fragmentation and functional degradation of relatively intact northern habitat systems through permanent industrial access, induced regional development, altered predator-prey dynamics, behavioural avoidance, expanding exploration and infrastructure corridors, and cumulative disturbance over time. FAFN remains concerned that the Draft IA Report understates these broader regional risks by focusing

heavily on direct project footprint disturbance, localized habitat metrics, and future monitoring commitments.

The assessment record itself acknowledges that the Project may contribute to habitat disturbance, altered wildlife movement, sensory disturbance, increased predator and human access, and cumulative regional pressures affecting species at risk. The record also repeatedly acknowledges uncertainty regarding wildlife response, behavioural avoidance, habitat connectivity, cumulative disturbance, and long-term ecological change. Nevertheless, the Draft IA Report generally concludes that Project-related effects are expected to remain manageable or can be addressed through future monitoring, adaptive management, and existing regulatory frameworks.

Particular concern remains regarding the assessment of cumulative effects on caribou. The assessment framework continues to place significant analytical weight on direct habitat disturbance within the Project footprint while providing comparatively limited assessment of broader functional habitat loss associated with behavioural avoidance, altered movement patterns, predator access, expanding industrial activity, and cumulative fragmentation across interconnected landscapes. For disturbance-sensitive species such as caribou, habitat may remain physically present while becoming functionally unsuitable due to noise, access, sensory disturbance, and cumulative industrial activity. FAFN remains concerned that the assessment understates these broader functional and cumulative effects.

The assessment record further contains unresolved inconsistencies regarding the characterization of species-at-risk effects. For example, the original assessment characterized certain impacts on wolverine as reversible, while Addendum 6 subsequently characterized several impact pathways as highly or very highly irreversible without clearly explaining the basis for this change or its implications for the overall significance conclusions reached in the assessment. Government reviewers also raised concerns regarding habitat loss assumptions, sensory disturbance to caribou, and inconsistencies in the significance framework applied to species at risk and cumulative effects.

In FAFN's view, the assessment record demonstrates credible pathways to long-term cumulative fragmentation and functional degradation of relatively intact northern habitat systems critical to sustaining caribou, wolverine, and other species at risk. However, the Draft IA Report does not adequately explain why these long-term cumulative risks were nevertheless concluded to be manageable.

3.3 Impacts on Indigenous Peoples and the Exercise of Rights

FAFN remains concerned that the Draft IA Report does not provide a sufficient basis for understanding the nature, extent, severity, and long-term implications of Project-related impacts on FAFN and the meaningful exercise of FAFN's Treaty and Aboriginal rights.

While the Draft IA Report acknowledges numerous pathways through which the Project may contribute to long-term ecological, cultural, governance-related, and rights-related change affecting FAFN, those findings are not meaningfully carried through into the Agency's final conclusions regarding severity and significance. Throughout Section 4 and Table 13, the Draft IA Report identifies uncertainty regarding cumulative regional development, changing access conditions, wildlife disturbance, hydrological change, social and cultural disruption, impacts on harvesting conditions, and long-term ecological change. Nevertheless, the Report generally concludes that impacts on FAFN's rights are expected to be low, negligible-to-low, or

manageable. In FAFN's view, the Draft IA Report does not clearly explain how those conclusions were reached given the breadth of acknowledged pathways of effect, cumulative pressures, and unresolved uncertainty identified throughout the record.

FAFN is particularly concerned that the Draft IA Report places excessive analytical weight on overlap with mapped harvesting areas, documented current use locations, and defined project study area boundaries in evaluating impacts on rights. FAFN's Treaty and Aboriginal rights are not exercised solely at isolated mapped locations or only within areas of direct project overlap. Rather, the meaningful exercise of rights depends on broader ecological, hydrological, cultural, governance-related, and social conditions that sustain harvesting reliability, mobility across the territory, access to healthy lands and waters, stewardship responsibilities, cultural continuity, and intergenerational knowledge transmission over time. From FAFN's perspective, the relevant question is whether the Project, together with related roads, mining activity, and future regional development, may alter the broader conditions necessary to sustain a land-based way of life across generations.

FAFN is also concerned that the Draft IA Report does not adequately account for the already impacted baseline within which FAFN members currently exercise Treaty and Aboriginal rights. The assessment record identifies existing pressures associated with climate change, hydrological change, contamination concerns, cumulative environmental disturbance, changing harvesting conditions, socio-economic pressures, and broader colonial disruption. In FAFN's view, these existing pressures increase the significance of additional Project-related impacts and reduce the resilience of the ecological and cultural systems that support the exercise of rights. The Project must therefore be assessed not within an assumed intact baseline, but within a context where many rights-supporting systems are already under stress.

FAFN's Targeted RIA, submitted pursuant to section 22(1)(q) of the *Impact Assessment Act*, identifies materially greater Project-related impacts on harvesting, cultural continuity, governance, stewardship, and the long-term exercise of Treaty and Aboriginal rights than reflected in the Draft IA Report. The RIA concludes that the Project may result in moderate-high to high severity impacts through the combined effects of hydrological alteration, habitat disturbance and fragmentation, changing access patterns, increased harvesting pressure, induced development, contamination concerns, and cumulative regional transformation. These pathways are interconnected. Hydrological change may affect fish, water quality, travel routes, and confidence in country foods. Habitat fragmentation and increased access may alter wildlife movement, harvesting reliability, and cultural use patterns. Long-term regional industrialization may further alter the ecological and social conditions required to sustain land-based practices and intergenerational knowledge transmission.

The Draft IA Report also understates the significance of cumulative regional change in evaluating impacts on FAFN's rights. The Report acknowledges that the Project may interact with other road projects, mining activity, future infrastructure, and broader development within the Ring of Fire region, including through increased access, changing harvesting pressure, altered wildlife movement, cumulative ecological disturbance, and broader social and cultural change. However, these acknowledged cumulative pathways are not meaningfully reflected in the final conclusions regarding impacts on FAFN's rights. In FAFN's view, the WSR cannot be meaningfully understood as a stand-alone project. Rather, it forms part of a broader and interconnected regional access and development corridor capable of contributing to long-term ecological, cultural, governance-related, and rights-related transformation across Treaty 9 territory and within the lands and waters relied upon by FAFN members.

FAFN is particularly concerned that the Draft IA Report understates impacts on hunting, trapping, and harvesting rights. The Report itself acknowledges that cumulative effects on hunting of caribou and other ungulates may be moderate in magnitude, long-term in duration, and irreversible. It further acknowledges the potential for reduced harvesting success, altered wildlife movement, habitat fragmentation, sensory disturbance, and increasing cumulative development pressures over time. Nevertheless, the Report continues to characterize many harvesting-related impacts on FAFN as low or manageable. In FAFN's view, the Draft IA Report does not adequately explain how acknowledged irreversible cumulative impacts on wildlife populations and harvesting conditions remain compatible with those conclusions.

Similarly, FAFN remains concerned that impacts on fishing and water-related rights are assessed too narrowly. The issue is not simply whether fish remain physically present within particular locations, but whether the Project and associated regional development may affect the ecological, hydrological, and cultural conditions necessary to sustain meaningful fishing practices, safe consumption of country foods, and confidence in waters relied upon by FAFN members for harvesting and travel. The Draft IA Report itself acknowledges uncertainty regarding methylmercury pathways, hydrological change, peatland disturbance, contamination concerns, and country food confidence. However, these concerns are not meaningfully reflected in the final conclusions regarding impacts on FAFN's fishing and water-related rights.

FAFN also remains concerned that the Draft IA Report approaches governance and stewardship impacts too narrowly by focusing primarily on whether the Project formally alters existing governance structures. From FAFN's perspective, the central issue is whether permanent industrial access and cumulative regional development may undermine FAFN's practical ability to exercise stewardship responsibilities, participate meaningfully in regional decision-making, and maintain authority over lands and waters undergoing incremental transformation through decisions made by external governments and regulators. In FAFN's view, this constitutes a serious and long-term governance concern that is not adequately reflected in the Draft IA Report's conclusions.

Finally, FAFN remains concerned that the Draft IA Report understates impacts on cultural continuity and continued way of life. Continued way of life cannot be meaningfully separated into isolated categories such as harvesting, social conditions, or cultural practice. Rather, it reflects the continuation of interconnected relationships among lands, waters, species, language, teaching, governance, mobility, family responsibilities, and future generations. Where a project contributes to long-term changes in access, wildlife movement, confidence in country foods, social conditions, cultural landscapes, and the character of land-based experience, it also affects cultural continuity and the long-term conditions necessary to sustain FAFN's Treaty and Aboriginal rights across generations.

3.4 Climate Change and Sustainability

FAFN remains concerned that the Draft IA Report does not provide a sufficient basis for understanding the Project's long-term climate implications or its consistency with the sustainability purposes of the Impact Assessment Act.

The Draft IA Report primarily evaluates greenhouse gas emissions associated with direct construction and operation of the WSR itself while largely excluding the broader emissions implications associated with induced regional development that the Project is intended to facilitate. At the same time, the assessment record repeatedly acknowledges that the WSR

forms part of a broader transportation and infrastructure network intended to support future mining and industrial development within the Ring of Fire region. In FAFN's view, the Draft IA Report therefore evaluates the Project's climate implications too narrowly by separating the Project from the broader development pathways it is intended to enable.

This concern is particularly significant given the long-term and growth-inducing nature of permanent all-season transportation infrastructure. Roads of this scale do not simply create localized effects within the project footprint. They shape future industrial development patterns, access conditions, land use change, and associated greenhouse gas emissions over decades. However, the Draft IA Report provides limited assessment of these longer-term "carbon lock-in" implications associated with introducing permanent industrial access into a previously roadless and carbon-rich region.

FAFN is also concerned that the Draft IA Report understates the climate significance of impacts to peatlands and hydrological systems within the Hudson Bay Lowlands. The assessment record acknowledges substantial uncertainty regarding peat compression, altered hydrology, peatland carbon dynamics, greenhouse gas flux, and long-term ecological response associated with the proposed floating road design. Federal and provincial reviewers identified unresolved uncertainty regarding hydrological connectivity, peatland function, groundwater movement, and the long-term effectiveness of proposed mitigation measures. Nevertheless, the Draft IA Report concludes that Project-related greenhouse gas effects are not significant and that peatland functions are expected to be largely maintained.

In FAFN's view, the Draft IA Report does not clearly explain how those conclusions were reached given the acknowledged uncertainty regarding long-term peatland response, cumulative ecological change, and climate interactions within one of the world's largest peatland systems. The Report instead relies heavily on future monitoring, adaptive management, and future refinement of mitigation measures despite uncertainty regarding effects that may be long-lasting or effectively irreversible once disturbance occurs.

FAFN is further concerned that the Draft IA Report places significant weight on comparison of Project-related greenhouse gas emissions against national emissions totals in concluding that Project-related climate effects are not significant. This framing risks minimizing the Project's contribution to long-term cumulative climate change, particularly where the broader emissions implications of induced development, future mining activity, hydrological alteration, and peatland disturbance are not meaningfully assessed.

The Draft IA Report also does not adequately address how the Project may hinder Canada's ability to meet its climate commitments and environmental obligations under section 22(1)(i) of the *Impact Assessment Act*. In FAFN's view, this analysis cannot be limited to direct Project emissions alone where the Project is specifically intended to facilitate broader industrial expansion within a carbon-rich and ecologically sensitive region.

FAFN is similarly concerned that the sustainability analysis in the Draft IA Report is framed too narrowly and procedurally. The Impact Assessment Act requires consideration of the extent to which the Project contributes to sustainability, including consideration of long-term ecological, social, economic, cultural, and health conditions. However, the Draft IA Report provides limited consideration of whether the Project may undermine the long-term ecological integrity, hydrological stability, cultural continuity, harvesting systems, and climate resilience upon which FAFN's land-based way of life depends.

From FAFN's perspective, sustainability cannot be understood solely in terms of enabling future economic development opportunities. It must also include maintaining the long-term ecological and cultural conditions necessary to sustain Treaty and Aboriginal rights, healthy watersheds, peatland integrity, wildlife populations, harvesting systems, and intergenerational relationships with the land. FAFN remains concerned that these broader sustainability considerations are not adequately reflected in the Draft IA Report's final conclusions.

4. Comments on Draft Potential Conditions

FAFN acknowledges that IAAC's draft conditions include general requirements for consultation, follow-up programs, reporting, information sharing, fish and fish habitat, current use, species at risk, and accidents and malfunctions. However, FAFN remains concerned that the draft conditions do not provide a sufficiently enforceable or precautionary framework to address the level of uncertainty, cumulative effects, and rights-related impacts identified in the Draft IA Report.

4.1 General Concerns with the Draft Conditions

The draft conditions rely heavily on future consultation, future follow-up programs, future monitoring, and future adaptive management. Conditions 2.4 to 2.8 require the proponent to develop follow-up programs, identify monitoring methods, determine thresholds, and implement modified or additional mitigation where needed. While this framework is useful in principle, many of the most important details are left to be developed after approval.

In FAFN's view, this is not sufficient where the Draft IA Report acknowledges uncertainty regarding fish and fish habitat, hydrology, methylmercury pathways, wildlife movement, habitat connectivity, cumulative regional development, and impacts on Treaty and Aboriginal rights. The conditions should not defer core matters such as thresholds, corrective actions, stop-work triggers, Indigenous participation, and reassessment requirements to future planning processes. Condition 2.1 requires the proponent to act in a careful and precautionary manner, but this general statement is not carried through into specific enforceable conditions capable of preventing long-term or irreversible effects. Similarly, conditions 2.2 and 2.3 establish consultation procedures, but they do not require agreement, co-development, dispute resolution, or Indigenous decision-making authority where FAFN disagrees with the proponent's interpretation of monitoring results or proposed mitigation.

4.2 Indigenous Governance and Rights-Based Oversight

The draft conditions include opportunities for Indigenous groups to be consulted or to participate in monitoring, including conditions 2.3, 2.8, 3.1.3, 6.3.1, 6.5, 6.7, 6.8, 7.2, and 9.1. However, these conditions largely frame Indigenous involvement as procedural participation rather than shared oversight or rights-based governance.

For example, condition 2.8 requires the proponent to determine opportunities and resources for Indigenous participation in follow-up programs, including monitoring, analysis, reporting, and whether modified mitigation is required. However, the condition does not establish any requirement for Indigenous agreement on monitoring design, thresholds, interpretation of results, or adaptive management responses.

FAFN recommends that the conditions be revised to require:

- funded FAFN participation in monitoring design, implementation, interpretation, and reporting;
- co-development of thresholds and corrective actions;
- dispute resolution where FAFN disagrees with monitoring conclusions or mitigation responses;
- mandatory renewed Crown consultation where impacts exceed predictions; and
- clear mechanisms for FAFN to trigger reassessment or additional mitigation where rights-related effects are identified.

4.3 Fish, Water, and Hydrological Protection

Condition 3.1 requires a follow-up program for fish and fish habitat effects resulting from changes to water quality. This is important, but too narrow. The condition focuses on water quality parameters and comparison to CCME guidelines, but does not adequately address broader hydrological pathways, peatland function, methylmercury pathways, fish passage, downstream effects, or cumulative watershed-scale change.

Condition 3.1.1 includes mercury among monitored heavy metals and metalloids, but the condition does not clearly require assessment of methylmercury production, bioaccumulation in fish, country food confidence, or related impacts on Indigenous harvesting. Condition 3.1.2 requires modified or additional measures if monitoring indicates increased adverse effects to fish and fish habitat, but it does not identify the specific thresholds, timelines, corrective measures, or circumstances requiring work stoppage or reassessment.

FAFN recommends that condition 3.1 be expanded to include:

- hydrological monitoring of groundwater/surface water interactions, peatland drainage, culvert performance, and downstream flow conditions;
- methylmercury monitoring in water, sediment, and fish tissue;
- monitoring of fish health and fish habitat function, not only water quality;
- enforceable thresholds and mandatory corrective measures;
- clear stop-work or operational restriction triggers where water quality, fish habitat, or methylmercury risks exceed predictions; and
- funded FAFN participation in monitoring, interpretation, and decisions regarding corrective action.

4.4 Current Use, Wildlife, and Harvesting Conditions

Conditions 6.1 to 6.8 address current use of lands and resources for traditional purposes, but they remain limited. Conditions 6.1 and 6.2 focus mainly on complaints, sensory disturbance, dust, noise, and air quality. These are relevant, but they do not fully address the broader

pathways through which the Project may affect FAFN's harvesting rights, including changed access, altered wildlife movement, increased harvesting pressure, reduced confidence in country foods, and cumulative regional transformation.

Condition 6.8 requires a follow-up program for wildlife of importance to Indigenous groups and requires monitoring of population, habitat, and predator/prey dynamics. This is potentially important, but the condition does not establish species-specific thresholds, cumulative disturbance limits, mandatory corrective actions, or regional triggers tied to future development. FAFN recommends that condition 6.8 be revised to include:

- species-specific monitoring for caribou, wolverine, moose, and other culturally important species;
- monitoring of behavioural avoidance, movement patterns, habitat connectivity, access-related disturbance, and harvesting conditions;
- cumulative disturbance thresholds;
- mandatory access-management measures;
- reassessment triggers where wildlife response exceeds predictions; and
- FAFN participation in interpreting monitoring results and determining mitigation responses.

4.5 Species at Risk

The species-at-risk conditions are especially limited. Conditions 8.1 to 8.3 address little brown myotis and northern myotis on Webequie First Nation reserve, but they do not address caribou, wolverine, or broader species-at-risk concerns raised in the assessment record.

This is a major gap. The Draft IA Report and assessment record identify concerns regarding caribou, wolverine, habitat fragmentation, sensory disturbance, cumulative regional effects, and uncertainty regarding wildlife response. Yet the draft species-at-risk conditions do not include enforceable protections for caribou or wolverine, do not establish habitat disturbance thresholds, and do not address cumulative regional habitat fragmentation.

FAFN recommends that the species-at-risk conditions be expanded to include:

- specific conditions for caribou and wolverine;
- enforceable habitat connectivity and disturbance thresholds;
- restrictions on activities that increase sensory disturbance during sensitive periods;
- cumulative effects monitoring across the broader Ring of Fire road network;
- access restrictions where increased access affects species at risk;
- mandatory corrective actions where monitoring identifies greater-than-predicted effects; and

- independent review of monitoring results by species-at-risk experts and Indigenous knowledge holders.

4.6 Health, Social Conditions, and Community Readiness

Condition 5.1 requires a Community Readiness Plan within four months of the start of construction. FAFN is concerned that this timing is too late. A plan intended to mitigate adverse effects on the social conditions of Indigenous peoples should be finalized, reviewed, funded, and operational before construction begins.

Condition 5.2 includes workplace conduct, anti-harassment, anti-discrimination, anti-violence, drugs and alcohol, and complaint processes. These are important, but the conditions are focused primarily on the workplace and do not fully address broader community safety, increased access, gender-based violence risks, traffic, policing pressures, substance-related impacts, or social disruption associated with regional development.

FAFN recommends that conditions 5.1 and 5.2 be revised to require:

- the Community Readiness Plan to be finalized before construction or early works;
- FAFN participation in development and review of the plan;
- clear funding commitments for implementation;
- community safety and access-management measures;
- monitoring of social and health effects in affected communities;
- mandatory reporting and corrective actions where adverse social effects are identified; and
- mechanisms to address impacts outside the workplace, including impacts associated with increased access and regional development.

5. Conclusions

FAFN remains concerned that the current assessment record does not provide a sufficient basis for a precautionary, rights-informed, and fully informed public-interest decision under the Impact Assessment Act.

The assessment record continues to contain important unresolved uncertainty regarding cumulative effects, peatland and hydrological response, fish and fish habitat, wildlife movement and habitat connectivity, species at risk, climate implications, induced regional development, and the long-term effects of permanent all-season access within the Ring of Fire region. At the same time, the Draft IA Report repeatedly relies on future monitoring, future studies, adaptive management, future permitting processes, and future regulatory frameworks to conclude that these effects are expected to remain manageable.

FAFN is particularly concerned that the Draft IA Report does not adequately assess the Project as enabling infrastructure capable of contributing to broader and potentially irreversible regional transformation across interconnected ecological, hydrological, cultural, governance, and

harvesting systems within Treaty 9 territory. In FAFN's view, the Project cannot be meaningfully understood as a stand-alone road project isolated from the broader industrial development and access patterns it is intended to facilitate.

FAFN also remains concerned that the Draft IA Report understates the nature and severity of impacts on FAFN's Treaty and Aboriginal rights. As described in FAFN's attached Targeted RIA (Appendix C), the Project has the potential to contribute to interconnected and cumulative impacts on harvesting systems, stewardship responsibilities, governance, cultural continuity, mobility, confidence in country foods, and the long-term conditions necessary to sustain a land-based way of life across generations.

The draft conditions similarly do not yet provide a sufficiently robust, enforceable, or precautionary framework to address the scale of uncertainty and cumulative risk identified throughout the assessment record. In particular, the conditions do not adequately establish enforceable thresholds, reassessment mechanisms, rights-based oversight, Indigenous governance roles, cumulative effects safeguards, or clear triggers for corrective action where impacts exceed predictions.

Given the significance of the Project and its broader regional implications, FAFN respectfully submits that additional work remains necessary before the Crown can reasonably conclude that the Project's long-term effects are sufficiently understood or that impacts on FAFN's Treaty and Aboriginal rights can be effectively avoided, mitigated, or managed over time.

FAFN therefore requests that IAAC:

- carefully reconsider the conclusions reached in the Draft IA Report regarding significance, severity, and the adequacy of mitigation;
- revise the Draft IA Report to more fully reflect the scale of acknowledged uncertainty and cumulative regional change associated with the Project;
- strengthen the draft conditions consistent with the recommendations provided in this submission;
- ensure meaningful consideration of FAFN's attached RIA and prior submissions; and
- ensure that any future decision under the *Impact Assessment Act* reflects a precautionary, cumulative-effects-informed, and rights-based approach consistent with the honour of the Crown and section 35 of the Constitution Act, 1982.

FAFN reserves the right to provide additional submissions and comments as the federal impact assessment process continues and as further information becomes available.

Yours truly,
<Original signed by>

Chief Robert Nakogee

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6. APPENDIX A: FAFN Round 2 Technical Comments on the Proponent's Responses to Round 1 Comments and Associated Addendum Materials

Comment Response Table

Project: Webequie Supply Road Project

Proponent: Webequie First Nation

Document: Final Environmental Assessment Report/Impact Statement (EAR/IS)

Comments from: Fort Albany First Nation (FAFN)

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
Section 19: Assessment of Effects on Indigenous Peoples and Impacts to the Exercise of Aboriginal and Treaty Rights						
1.	Section 19.1 – Scope of the Rights Assessment	Scope and structure of the rights assessment.	<p>This section introduces the Aboriginal and Treaty Rights Impact assessment, but it does not clearly explain how project effects are translated into impacts on the exercise of FAFN's rights. The EAR/IS repeatedly points the reader back to environmental chapters, yet it does not clearly show how those environmental changes may affect the conditions that allow FAFN members to hunt, trap, fish, travel, gather, and pass knowledge to younger generations.</p> <p>For FAFN, the issue is not only whether environmental effects</p>	Provide a clearer explanation of how project activities and environmental changes are expected to affect the conditions required for FAFN members to exercise their Aboriginal and Treaty rights.	Please refer to Addendum 1 of the Final EAR/IS for a supplemental description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619_10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf .	No further comments.

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
			<p>occur. The real issue is whether those changes interfere with the Nation's ability to continue living from the land in a meaningful way. As written, the assessment does not clearly describe that pathway.</p>			
2.	Section 19.1.1 – Treaty Framework	Treatment of Treaty 9 rights.	<p>Section 19.1.1 summarizes the general legal context of Aboriginal and Treaty Rights, but it does not clearly explain how Treaty 9 Rights specific to FAFN are reflected in the assessment approach. Treaty 9 protects the continuation of land-based practices such as hunting, trapping, fishing, gathering, and travel. These rights depend on access to lands and waters, reliable wildlife and fish populations, and the continued ability to maintain cultural practices tied to the land. The EAR/IS does not clearly explain how these realities shaped the assessment methodology or the conclusions regarding impacts.</p>	<p>Clarify how Treaty 9 Rights and FAFN land-based practices were incorporated into the assessment framework used to evaluate rights impacts.</p>	<p>The EAR/IS assesses effects on Aboriginal and Treaty rights by considering how project activities may result in environmental changes that affect access to lands and resources, harvesting opportunities, travel, and the ability to carry out land-based practices. Treaty No. 9 Rights are captured in the assessment under rights associated with current and historical use of lands and resources for traditional purposes, cultural continuity, socio-economic, health, and well-being, and self-determination and self-governance. Further clarification on the assessment of effects on Indigenous Peoples and Aboriginal and Treaty rights is provided in Addendum 1 of the Final EAR/IS, available at: https://www.supplyroad.ca/wp</p>	<p>Not Addressed.</p> <p>The response says Treaty 9 rights are captured within the broad rights categories used in the assessment. However, FAFN's concern was not simply whether Treaty-related practices appear somewhere in the framework. The concern was whether Treaty 9 realities specific to FAFN which includes shared homelands, interconnected lands and waters, land-based governance, and the conditions required to continue exercising Treaty rights in a meaningful way actually shaped the methodology and conclusions. The response and the Addendum 1 do not still include that. This concern should also be read together with FAFN's</p>

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
					= content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf.	comments on Addendum 1 regarding Treaty 9, governance, and decision-making.
3.	Section 19.1.2 / 19.1.3 – Engagement Outcomes and Indigenous Knowledge	FAFN engagement and Indigenous Knowledge are acknowledged, but their influence on the analysis is not clear.	<p>The EAR/IS summarizes engagement with FAFN and states that Indigenous Knowledge was incorporated “where appropriate.” However, it is difficult to see where FAFN concerns or knowledge actually changed the baseline description, the impact analysis, the severity conclusions, or the mitigation measures.</p> <p>Indigenous Knowledge is not background context. It is evidence drawn from generations of experience on the land. When such knowledge is provided, it should be possible to trace how it shaped the assessment. In this case, that connection is not clearly shown.</p>	Provide a clearer account of how FAFN concerns and Indigenous Knowledge informed baseline conditions, impact pathways, severity conclusions, and mitigation measures.	<p>Indigenous Knowledge shared by Fort Albany First Nation informed and referenced in baseline characterization and the effects assessment of the EAR/IS. Additional clarification is provided in Addendum 1 of the Final EAR/IS, available at https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf.</p>	<p>Partly addressed.</p> <p>Addendum 1 uses FAFN information more directly and includes FAFN concerns in the discussion of harvesting, water, access, traplines, cultural continuity, and stewardship. However, the record still does not show how FAFN knowledge changed the severity conclusions or the mitigation framework.</p>
4.	Section 19.1.4 – Values and Indicators	Indigenous values are described, but not clearly translated	Section 19 of the EAR/IS describes Indigenous values related to harvesting, land use, culture, and stewardship. However, it is not clear how those values were used to select the indicators applied in	Explain how the values identified through engagement with FAFN were used to guide the selection of indicators for the Aboriginal and Treaty Rights and Interests.	The planning phase for the federal impact assessment including the project description summary of issues from engagement and consultation and the TISG, as well as the development of the	No further comments.

Comment #	Page/Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
		into assessment indicators.	<p>the assessment.</p> <p>If Indigenous values are meant to guide the assessment, the EAR/IS should show how they shaped the indicators and how those indicators were then used to evaluate impacts on rights. As written, the connection remains weak.</p>		<p>ToR for the provincial EA, contributed to the development of valued components and indicators used to assess effects on Indigenous Peoples and the exercise of Aboriginal and Treaty Rights. The EAR/IS captures Aboriginal and Treaty Rights holistically in rights associated with current and historical use of lands and resources for traditional purposes, cultural continuity, socio-economic conditions, health, well-being, and self-determination and self-governance. These categories capture Fort Albany First Nation's input associated with the exercise of its Aboriginal and Treaty rights. The indicators were applied using an integrated assessment approach that draws on information presented in the relevant biophysical assessment sections of the EAR/IS and with input from Indigenous communities.</p>	
5.	Section 19.1.5 / 19.3 – Study Area Boundaries and RSA Conclusion	The assessment relies heavily on Local Study Area (LSA) and	Section 19 of the EAR/IS relies heavily on the LSA and RSA boundaries when evaluating potential impacts. It repeatedly concludes that impacts in the RSA are negligible because project	Reassess RSA impacts using ecological connectivity, regional harvesting patterns, access changes, and cumulative landscape effects rather than distance from the project footprint	Sections 19.1.5 outlines the assessment boundaries for Indigenous Peoples values and the exercise of Aboriginal and Treaty Rights and focuses on areas where project activities have the greatest potential to	<p>Not addressed.</p> <p>The response does not resolve FAFN's concern about the way study area boundaries are being used to limit the assessment of impacts on rights. FAFN's</p>

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
	s	Regional Study Area (RSA) boundaries and repeatedly concludes that RSA impacts are negligible, largely based on distance.	<p>activities are largely confined to the Project Footprint and LSA, and because there is little or no direct overlap with mapped use areas.</p> <p>That approach is too narrow for a rights assessment. FAFN members use a broad territory for hunting, trapping, fishing, travel, and cultural practice. Wildlife move across large areas.</p> <p>Watersheds connect across large areas. Access changes, sensory disturbance, and cumulative development do not stop at an arbitrary study boundary.</p> <p>While some pathways are listed in the Section 19, the reasoning that leads to repeated negligible conclusions in the RSA still depends too heavily on distance and lack of direct overlap. That does not adequately reflect how rights are actually practiced across the territory.</p>	alone.	<p>affect the conditions under which rights are exercised. The Local Study Area (LSA) reflects the spatial extent of direct and indirect project effects, while the Regional Study Area (RSA) was used to consider potential indirect and cumulative effects. While Indigenous land use occurs across broader territories, the assessment appropriately considers whether project-specific effects would be sufficient to alter the exercise of Aboriginal and Treaty rights at the regional scale.</p> <p>The proponent notes that wildlife movement, access, and cumulative development were considered within the relevant biophysical assessments and informed the rights assessment conclusions.</p> <p>Additional clarification and information is provided in Addendum 1 of the Final EAR/IS, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619-10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf.</p>	<p>concern was not simply that the RSA or LSA lines were drawn incorrectly on a map. The concern was that the assessment uses those boundaries, together with proximity and overlap, to narrow the lens through which rights impacts are understood. That remains the case.</p> <p>FAFN has consistently raised that rights are not exercised within a confined project footprint or only where there is close physical overlap with the road corridor. Rights are exercised across connected lands and waters, through travel routes, harvesting areas, traplines, family use areas, downstream systems, and broader territorial relationships that do not stop at an RSA boundary. FAFN's concern has always been that the effects of this road cannot be understood only by asking who is closest to the corridor. The relevant question is how this road, together with linked roads and related regional development, changes access, movement, land use, harvesting conditions, stewardship, and cultural</p>

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
						<p>continuity across the territory.</p> <p>The response largely defends the existing LSA/RSA approach rather than addressing that concern. It does not explain how the assessment accounted for ecological connectivity, watershed relationships, downstream effects, regional harvesting patterns, access changes, or cumulative land-use transformation beyond the immediate corridor. Nor does it explain why those broader connected effects would not materially affect FAFN simply because FAFN is treated as an RSA community. This concern therefore remains outstanding and should be read together with FAFN's comments on Addendum 1 regarding cumulative effects, connected systems, and the narrow physical-footprint approach.</p>
6.	Section 19.1.6 / 19.3 – Rights Impact	Pathways are identified, but the link	Section 19 of the EAR/IS identifies certain pathways, such as loss or alteration of lands and resources, access changes, and cultural	Strengthen the analysis of rights pathways by clearly linking project activities and environmental change to impacts on harvesting,	Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential	Partly addressed. This issue is generally addressed in Addendum 1. The addendum now identifies and discusses

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
	Pathways	between project effects and rights impacts remains incomplete.	<p>continuity effects. However, it still does not clearly show how environmental, social, and access-related changes translate into impacts on the exercise of FAFN rights.</p> <p>For example, road construction may increase outside access, change wildlife movement, affect harvesting pressure, and alter travel routes. These are not minor side issues. They are part of how rights are experienced on the ground. The EAR/IS does not clearly connect these broader pathways to harvesting success, cultural continuity, and land-based practice in a way that supports its conclusions.</p>	travel, access, cultural continuity, and land-based teaching.	impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf .	many of the pathways through which the Project may affect the exercise of rights, including harvesting, access, cultural continuity, food security, community well-being, stewardship, and governance. However the remaining concern is that, once those pathways are identified, the assessment still does not adequately explain how they support the final low severity conclusions for FAFN and other RSA communities. That issue is better captured under FAFN's comments regarding the missing pathway from evidence to conclusion, rather than under this item itself.
7.	Section 19.2 – Baseline Conditions and Conditions Required to Exercise Rights	The baseline describes activities, but not clearly the conditions required for those activities to continue.	<p>The baseline describes hunting, trapping, fishing, gathering, travel, and cultural practices. However, it does not clearly describe the ecological, social, and cultural conditions required for those practices to continue in a meaningful way.</p> <p>For FAFN, exercising rights depends on more than the existence of a species or a</p>	Expand the baseline to describe the ecological, social, and cultural conditions necessary for FAFN members.	Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf .	<p>Not addressed.</p> <p>Although Addendum 1 expands baseline discussion, FAFN's concern remains that the assessment still does not treat the conditions required to exercise rights as the foundation of the analysis. The record refers to access, ecological conditions, food security, land-based</p>

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
			mapped route. It depends on reliable wildlife populations, safe travel routes, intact ecosystems, access to lands and waters, quiet conditions for cultural practice, and the continued transfer of knowledge between generations. Those conditions are central to FAFN's way of life, yet they are not clearly set out as the foundation of the assessment.			teaching, and cultural continuity, but it does not carry those conditions through in a way that explains the final conclusions. For FAFN, the issue is not only whether an effect pathway exists. The issue is whether the environmental, cultural, and practical conditions needed to continue exercising rights are being maintained. That remains unresolved.
8.	Section 19.2 – Cultural and Spiritual Practices	Cultural and spiritual impacts are treated too narrowly and are tied too closely to mapped sites.	<p>The EAR/IS notes that no specific cultural or spiritual sites were identified within the project area. Cultural and spiritual life should not be limited to mapped points on a figure.</p> <p>Cultural continuity depends on broader landscape conditions, including access to the land, quiet places, intact ecosystems, and the ability to carry out ceremonies, teaching, and family land use without industrial disturbance. Increased traffic, noise, and outsider access may affect these conditions even where no specific site is directly disturbed.</p>	Assess how project activities may affect the broader cultural and spiritual conditions needed for FAFN members to exercise rights and maintain cultural continuity.	<p>Potential effects on broader cultural and spiritual conditions are described in Section 6 of Addendum 1 of the Final EAR/IS. Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619-10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf.</p>	<p>Not Addressed.</p> <p>Addendum 1 improves the discussion of cultural continuity, culturally important areas, spiritual use, and the relationship between land use and cultural practice. It recognizes that project activities may affect access to culturally important places, alter the conditions needed for ceremony and land-based teaching, and disrupt intergenerational knowledge transmission. In that sense, the issue is addressed in more detail than before.</p> <p>However, FAFN's concern was not only that cultural</p>

Comment #	Page/Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
						<p>and spiritual practices be mentioned. The concern was whether the assessment meaningfully evaluates the real conditions those practices depend on. For FAFN, cultural and spiritual practices are tied to place, quiet enjoyment, access, intact ecological systems, privacy, continuity of use, and the ability to return to lands and waters in a way that remains culturally meaningful. The addendum now describes some of those pressures, but it still does not show how they were assessed in a way that supports the low severity conclusions reached for FAFN and other RSA communities.</p> <p>This is particularly concerning because the record acknowledges effects such as altered access, industrial disturbance, increased outside presence, and broader changes to the land that may reduce opportunities for cultural use and knowledge transmission. Once those effects are recognized, the assessment must do more than describe them in</p>

Comment #	Page/ Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
						<p>general terms. It must explain how those effects were weighed and why they are still treated as low. That explanation is still not provided. Further detail is set out in FAFN's comments on Addendum 1.</p>
9.	Section 19.2 – Traplines	<p>Trapline impacts are acknowledged but not adequately assessed.</p>	<p>Section 19 of the EAR/IS acknowledges that traplines used by FAFN occur within the RSA, but the analysis does not clearly examine how the road may affect trapping success through wildlife displacement, habitat disturbance, or increased access by other harvesters.</p> <p>Traplines are not just mapped areas. They are part of long-standing systems of land use, sustenance, and knowledge. Even where a trapline remains physically accessible, project-related changes may reduce its usefulness and interfere with the continued practice of trapping.</p>	<p>Assess potential impacts on trapline use and trapping success, including wildlife disturbance, competition from increased access, and changes in habitat conditions.</p>	<p>Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf</p>	<p>Not Addressed.</p> <p>Addendum 1 now refers to traplines, preferred harvesting areas, culturally important places, access concerns, and land-based teaching. It also recognizes that road construction and operations may disturb harvesting sites, alter access, reduce the suitability of culturally preferred areas, interfere with seasonal practices, and diminish opportunities to engage in harvesting and teaching in ways that align with cultural protocols and oral traditions. In that sense, the issue is discussed in more detail than before.</p> <p>However, FAFN's concern was never only whether traplines or culturally important areas are mentioned in the record.</p>

Comment #	Page/Section # in EAR/IS	Issue	Comment	Recommendation	Proponent Response	FAFN Response
						<p>FAFN asked for the rationale: how traplines, culturally important areas, spiritual use, land-based teaching, and related practices were actually assessed; what evidence was relied on; what uncertainties remained; and how the ratings were determined. That explanation is still missing. The addendum describes effects such as disturbance, degraded access, increased outside access, changing harvesting conditions, interference with trapping and hunting, and reduced ability to use areas that hold cultural, familial, or historical importance. Yet after identifying those kinds of effects, the assessment still moves to low severity conclusions for other LSA and RSA communities, including FAFN, without showing how those outcomes were weighed.</p> <p>That is especially difficult to accept where the addendum itself recognizes that access to traplines, camps, fishing areas, and culturally preferred harvesting places may be altered; that new road access may change</p>

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						<p>how people use the territory; and that increased outside presence may affect how Indigenous communities manage lands and resources according to their own laws, teachings, and values. Where those effects are acknowledged, the record must do more than simply refer to traplines and culturally important areas in general terms. It must show how the assessment moved from those identified effects to the conclusion that the impact remains low. That connection is still not provided. Further detail is set out in FAFN's comments on Addendum 1.</p>
10.	Section 19.3.1.3 / 19.3.2.3 – Incomplete Assessment of Potential Impacts to Indigenous Rights	Section 19 of the EAR/IS acknowledges that the RSA rights analysis was prepared using limited information and did	<p>Comment Section 19.3.1.3 states that a comprehensive assessment of potential impacts to Indigenous rights had not been completed at that stage and that the analysis was based on limited information received to date. Section 19.3.2.3 makes a similar point for cultural continuity.</p> <p>This is a serious concern. Where the EAR/IS itself</p>	Clarify whether the rights assessment has since been completed using updated FAFN information and explain how conclusions regarding negligible impacts were reached where the analysis itself acknowledges incomplete information.	Addendum 1 of the Final EAR/IS provides supplemental information on the effects assessment on Indigenous Peoples, including impacts to Aboriginal and Treaty rights. The addendum reflects information provided by Indigenous communities, including Fort Albany First Nation. Addendum 1 of the EAR/IS is available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619	<p>Not Addressed.</p> <p>Although Addendum 1 adds substantial discussion compared to the earlier record, FAFN's concern remains that the assessment still does not provide a sufficient basis for the conclusions it reaches. The problem is not simply that the addendum was prepared late. The problem is that even after expanding the</p>

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		not reflect a full understanding of community concerns.	<p>acknowledges that the analysis did not yet reflect a full understanding of community interpretations, concerns, or expressed impacts to rights, it becomes difficult to understand how repeated conclusions of negligible effects in the RSA were reached.</p> <p>For FAFN, this creates uncertainty as to whether the full range of potential impacts on rights has actually been assessed.</p>		10 WSR EAR-IS Addendum 1 Indigenous Peoples.pdf	<p>discussion, the assessment still relies on limited community-specific information, acknowledges low confidence for other LSA and RSA communities, identifies uncertainty in predicted outcomes and magnitude of effects, and nevertheless continues to assign low or low-to-moderate severity conclusions across key rights categories.</p> <p>That is not a minor concern. The addendum itself describes effects on harvesting, access to lands and waters, traplines, cultural continuity, food security, community well-being, and stewardship. It also acknowledges uncertainty regarding future land-use patterns, cumulative regional development pressures, wildlife response, harvesting pressure, behavioural changes after road access is introduced, and the long-term implications for cultural continuity and knowledge transmission. In those circumstances, FAFN's concern is that the record does not contain enough</p>

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						reliable information to justify minimizing impacts to rights.
11.	Section 19.3 – Way of Life and Cultural Continuity	Section 19 of the EAR/IS gives limited attention to the broader way of life that is sustained through rights practice.	<p>Section 19 discusses harvesting and cultural continuity, but it still does not adequately address how project-related changes may affect the broader way of life that depends on these practices.</p> <p>For FAFN, rights are lived through time on the land, bringing youth out, learning from Elders, maintaining trails and travel patterns, gathering food, and carrying forward cultural knowledge. When wildlife shifts, access changes, or the landscape becomes more industrialized, these effects can reach far beyond a single activity. They can weaken the fabric of land-based life itself.</p>	Expand the assessment to address impacts on cultural continuity, land-based learning, intergenerational knowledge transfer, and the continued ability of FAFN members to live from the land.	<p>Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619-10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf.</p> <p>An expanded assessment of rights associated with cultural continuity is provided in Section 6.2 of Addendum 1 of the EAR/IS.</p>	<p>Not Addressed.</p> <p>Addendum 1 expands the discussion of cultural continuity, intergenerational knowledge transfer, and land-based practices. However, FAFN’s broader concern about the continued ability to live from the land and maintain a meaningful land-based way of life remains unresolved.</p> <p>For FAFN, way of life is not separate from Treaty rights. The ability to travel, harvest, teach, occupy the land, maintain relationships to place, and pass knowledge across generations is part of the meaningful exercise of rights. The concern is therefore not only whether the assessment identifies effects on isolated activities. The concern is whether it evaluates what project-related change means for the continuity of that way of life as a whole.</p> <p>The addendum acknowledges effects on harvesting conditions,</p>

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						<p>access to lands and waters, food security, social pressures, cultural continuity, and knowledge transmission. It also recognizes that the project will introduce permanent access and contribute to broader regional change. Yet after describing those pressures, the assessment still arrives at low severity conclusions for other RSA communities, including FAFN, without showing how impacts of that nature remain compatible with maintaining the same or similar way of life. From FAFN's perspective, that is not a minor gap. It goes to the core of the rights assessment. The concern therefore remains outstanding. Further detail is set out in FAFN's comments on Addendum 1.</p>
12.	Section 13. Species at Risk / Section 19 - Caribou Movement and Habitat Connectivity	Caribou movement and habitat connectivity are not clearly assessed in relation	The wildlife assessment discusses habitat disturbance and avoidance behaviour for caribou, but it does not clearly explain how seasonal movement patterns, migration routes, or broader habitat connectivity were evaluated in relation to the proposed road.	Provide additional analysis of caribou movement patterns, migration routes, and habitat connectivity, including potential interactions with the road corridor and broader regional infrastructure and	A threat assessment approach was used for the effect assessment of caribou, which "is limited to the physical direct removals or alterations of species at risk habitat" (Section 13.3.1) and does not describe effects on delineated routes or movements of caribou. Effects	<p>Not Addressed.</p> <p>The response confirms that the assessment did not evaluate caribou movement routes or connectivity in the way FAFN requested. It instead relies on a threat assessment focused on</p>

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		to FAFN harvesting .	<p>Caribou move across large connected landscapes. If the road alters movement patterns, reduces access to preferred habitat, or contributes to broader regional fragmentation, it may affect the continued availability of caribou for harvesting.</p> <p>For a species that is culturally and practically important to land-based life, that is not a minor omission.</p>	implications for rights-based practices.	of sensory disturbances on caribou are not well studied and “therefore a source of uncertainty” (Environment and Climate Change Canada). Table 13-23 (Section 13.3.3.5) summarizes the threat assessment on caribou. See also the response to Comment #14.	direct habitat removals or alterations and acknowledges uncertainty around sensory disturbance. The concern therefore remains outstanding.
13.	Section 13-Species at Risk / Section 19	The assessment may underestimate caribou habitat loss by focusing too heavily on direct clearing.	<p>The EA/IS evaluates caribou habitat effects largely in terms of the area directly removed by clearing. However, it also acknowledges that caribou may avoid habitat because of road-related disturbance, including noise, traffic, and human activity.</p> <p>If caribou avoid areas around the road, the functional loss of habitat may extend far beyond the actual footprint. The EAR/IS does not clearly explain how this behavioural avoidance was incorporated into the assessment of habitat availability and harvesting implications.</p>	Clarify how disturbance-related avoidance was incorporated into the evaluation of caribou habitat availability and potential impacts on FAFN harvesting rights.	Habitat availability due to avoidance was not included as an effect, but was captured as habitat alteration and/or degradation in Section 13.3.3.2, noting that sensory disturbances on Caribou are not well studied and “therefore a source of uncertainty” (Environment and Climate Change Canada). This subsection provided additional information to describe potential Project impacts on caribou behaviour. See also the response to Comment #14.	<p>Not Addressed.</p> <p>The response states that habitat availability due to avoidance was not included as a separate effect. That is the substance of FAFN’s concern. If behavioural avoidance was not incorporated into habitat availability in a meaningful way, then the assessment may understate the functional loss of habitat and its implications for harvesting. The issue remains outstanding.</p>

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14.	Section 13- Species at Risk / Section 19 – Caribou Implications for Harvesting	The assessment does not clearly connect caribou impacts to harvesting conditions for FAFN.	<p>The wildlife chapters focus mainly on ecological effects on caribou, while the EAR/IS concludes that impacts on Indigenous harvesting rights will be negligible. It does not clearly explain how changes in caribou behaviour, distribution, or habitat use may affect FAFN harvesting practices.</p> <p>Even modest changes in wildlife distribution can change where people need to travel, how reliable harvesting is, and whether traditional activities remain viable in the same way as before. For FAFN, this is directly tied to the practical exercise of Treaty rights.</p>	Provide a clearer explanation of how predicted caribou effects were evaluated in relation to FAFN harvesting practices and the exercise of Treaty rights.	<p>The assessment of Project effects on Indigenous rights did not seek to evaluate fine-grain biophysical responses, such as specific changes in caribou behaviour. Instead, potential effects on rights were assessed through the Traditional Land and Resource Use (TLRU) framework, using effect pathways identified in the biophysical sections of the EAR/IS. Under the TLRU assessment, potential effects were assessed in terms of changes to the availability, quality, and accessibility of traditionally harvested resources, as well as the ability of community members to safely and meaningfully participate in land-based practices such as harvesting. After the effects pathways were assessed in Section 6.1, they were characterized for level of severity in Section 6.1.3.2.</p> <p>In addition, an Environment Committee will be established to facilitate communication and engagement during construction and operations of the Project. Committee members will include Webequie First Nation Elders</p>	<p>Not Addressed.</p> <p>The response says the rights assessment did not seek to evaluate fine-grain biophysical responses such as specific changes in caribou behaviour. That leaves FAFN's concern unresolved, because those behavioural changes are directly relevant to harvesting conditions and the practical exercise of Treaty rights.</p>

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					<p>and Knowledge Holders, other First Nations with interest in participating to facilitate communications and engagement, use of Indigenous Knowledge in Project activities and develop appropriate monitoring, protocols and management plans (Appendix V of the Final EAR/IS). See also Addendum 7 of the Final EAR/IS covering the topic of Caribou. Addendum 7 to address comments and concerns raised by Indigenous communities and stakeholders will be released on April 8, 2026 and posted on the project website (www.supplyroad.ca). Fort Albany First Nation will be notified on Addendum 7 and is welcome to review and provide further comments.</p>	
15.	Section 13 / Section 22 – Reliance on Future Monitoring	Future monitoring is relied on to address uncertainties that should have been assessed more clearly now.	The EA/IS proposes monitoring programs, including GPS collaring, to better understand seasonal movements and habitat use during and after construction. Monitoring is important, but it does not replace the need to evaluate potential impacts before project decisions are made. Where impacts on a culturally important species remain uncertain, reliance on future	Clarify how existing information on caribou movement, habitat use, and disturbance informed the present assessment, and distinguish that from what is left to future monitoring.	The assessment of Project effects on caribou used the information and existing conditions available, including guidance and research from provincial and federal sources. The collection of caribou data (2021-2025) is presumed to meet the requirements for pre-construction monitoring (Section 13.10.1). See also the response to Comment #14 with regards to Addendum 7.	Partially addressed. The response clarifies that existing information sources informed the assessment. However, it still does not clearly distinguish between: (1) conclusions that were supported by existing baseline information and incorporated into the effects assessment; and (2) key uncertainties regarding caribou movement, habitat

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			<p>monitoring creates uncertainty about whether the rights implications of those impacts have actually been understood.</p>			<p>connectivity, disturbance response, and harvesting implications that remain to be addressed through future monitoring and adaptive management. As a result, it remains unclear whether the rights implications associated with potential changes in caribou behaviour and habitat use were fully understood and assessed.</p>
16.	Section 22 / Appendix N – Monitoring and Mitigation Measures	Issue Section 22 / Appendix N – Monitoring and Mitigation Measures Key monitoring and mitigation measures referenced in the EA/IS will be determined through future development of the Community	<p>Section 22 describes monitoring and follow-up programs intended to address project effects and support adaptive management. Appendix N indicates that elements of the Community Readiness Plan, including aspects of monitoring and community participation, will be further developed through engagement and consultation with Indigenous communities.</p> <p>At the same time, Section 19 presents conclusions regarding the severity of impacts on the exercise of Aboriginal and Treaty rights. Where monitoring, mitigation, and participation measures are still to be determined through future engagement, it</p>	Clarify how the anticipated monitoring, mitigation, and participation measures associated with the Community Readiness Plan were considered in the assessment of impacts on Aboriginal and Treaty rights, and identify which elements are already defined versus those that remain to be developed through future engagement.	<p>The Community Readiness Plan (CRP) is the mechanism through which predicted effects on Indigenous communities will be monitored, Indigenous participation will occur, and mitigation will be refined through adaptive management and ongoing dialogue.</p> <p>The CRP is structured to align with the rights assessment that considers current and historical use of lands and resources for traditional purposes, cultural continuity, socio-economic, health, and well-being, and self-determination and self-governance.</p> <p>Several parts of the CRP have been defined including the working group and the</p>	<p>Partially Addressed.</p> <p>The response confirms that the CRP is intended to be the mechanism for monitoring, Indigenous participation, and adaptive management, but it also confirms that several plans and strategies still require further development. FAFN’s concern is not only that future measures are unsettled. The concern is that the process still relies on future-defined programs while already reaching conclusions about severity and rights impacts. Future monitoring opportunities are not a substitute for a defined governance role, settled mitigation commitments, or a clear accommodation</p>

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		y Readiness Plan.	<p>is not always clear how those anticipated measures were considered when evaluating potential impacts on rights.</p> <p>For FAFN, this creates some uncertainty regarding the basis for the severity conclusions presented in the rights assessment.</p>		<p>components that will be monitored. Plans and strategies require further development; however, they have been considered as part of the mitigation and enhancement measures for the assessment of effects on Aboriginal and Treaty Rights.</p>	<p>framework for FAFN.</p>
17.	Section 21 – Cumulative Disturbance and Caribou Harvesting	Cumulative disturbance affecting caribou movement and harvesting is not clearly evaluated.	<p>The EA/IS does not clearly explain how cumulative disturbance from existing and proposed roads, transmission infrastructure, mining, and related regional development was evaluated in relation to caribou movement across the broader landscape. Caribou are especially sensitive to cumulative fragmentation. For FAFN, this matters because cumulative changes to caribou movement and habitat use may directly affect long-term harvesting opportunities.</p>	<p>Provide a clearer explanation of how cumulative regional disturbance was evaluated in relation to caribou movement, habitat use, and FAFN harvesting.</p>	<p>Please refer to Section 7 of Addendum 1 of the Final EAR/IS for supplemental information on cumulative effects related to current and historical use of land and resources for traditional purposes. Addendum 1 of the Final EAR/IS includes the assessment of potential impacts to Aboriginal and Treaty Rights, and is available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf</p>	<p>Partially Addressed.</p> <p>Section 7 of Addendum 1 does include cumulative discussion related to caribou. It identifies roads, mining, winter roads, and climate change as cumulative contributors and describes cumulative pressures including habitat loss and alteration, sensory disturbance, altered movement, reduced connectivity, predation risk, and injury or mortality. However, FAFN’s concern remains. The section does not carry that discussion to explanation of how cumulative disturbance to caribou movement and habitat use affects long-term harvesting opportunities, land-based teaching, and the practical exercise of rights.</p>

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18.	Section 21 – Cumulative Effects and Induced Development	Cumulative effects and induced development are not fully assessed from a rights perspective.	<p>The EA/IS acknowledges that the Webequie Supply Road may improve access to remote areas and enable additional development. However, it does not clearly assess how increased access, future industrial development, broader infrastructure expansion, and climate change may alter wildlife availability, land access, travel patterns, and harvesting conditions over time.</p> <p>These are not side effects. They go to the heart of whether FAFN members will still be able to practice their rights in the same way across the territory.</p>	Provide a clearer rights-based assessment of cumulative effects and induced development, including impacts on wildlife availability, access patterns, and the conditions necessary for FAFN members to continue exercising their rights.	<p>Please refer to Addendum 1 of the Final EAR/IS for supplemental information on the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights. The effects assessment on Indigenous Peoples uses the cumulative effects assessments on the biophysical environment (see Section 21 of the EAR/IS) to support identification of effects pathways.</p> <p>Addendum 1 of the Final EAR/IS is available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf</p>	<p>Partially Addressed.</p> <p>Section 7 now discusses cumulative effects, future roads, mining, and climate-related pressures more directly than the original EAR/IS. However, FAFN’s concern was about a rights-based cumulative assessment of induced development, changing access, future industrialization, and long-term changes to the conditions required to exercise rights. That broader concern remains. Further detail is set out in FAFN’s comments on Addendum 1.</p>
19.	Regional Road Network and Combined Effects on Rights	The combined effects of multiple road projects are not clearly assessed.	<p>The Webequie Supply Road is assessed as a stand-alone project, but it forms part of a broader network of proposed and planned infrastructure in the Ring of Fire region, including the Marten Falls Community Access Road and other future connections.</p> <p>While each is assessed separately (inappropriately in FAFN’s view), the combined effect is a much larger</p>	Provide a clearer assessment of how the combined effects of existing and proposed regional road infrastructure may affect wildlife availability, land access, and the continued exercise of FAFN rights across the broader territory.	<p>Please refer to Section 6 and Section 7 of Addendum 1 of the Final EAR/IS for supplemental information on the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf</p>	<p>Partially Addressed.</p> <p>Addendum 1 now includes cumulative consideration of the WSR, MFCAR, NRL, and other foreseeable developments. However, FAFN’s concern about the broader combined opening of the region and its effect on rights across the territory is still not carried through. The issue is partly addressed in description, but not in</p>

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			<p>transformation of the territory. A connected road network may increase access, hunting pressure, industrial traffic, wildlife disturbance, and future development pressure across a broad area.</p> <p>For FAFN, the issue is not just one road. It is whether the combined opening of the region will change the lands and waters that sustain the Nation's rights and way of life.</p>			<p>conclusion. Further detail is set out in FAFN's comments on Addendum 1.</p>
20.	Section 19.4 – Mitigation Measures	Mitigation measures are present, but many remain general, deferred, or not clearly specific to FAFN.	Section 19.4 includes a number of mitigation and enhancement measures relevant to harvesting, access, cultural continuity, and stewardship. However, many of these measures remain high level, subject to future engagement, or deferred to later plans such as the CRP, CEMP, and OEMP.	Identify which mitigation measures are firm commitments, which remain under consideration, and which are specific to FAFN. Clearly explain how FAFN concerns and knowledge informed the measures proposed to address impacts on rights.	Mitigation is framed not only as avoidance or minimization, but as requiring ongoing monitoring, adaptive management, and Indigenous participation. Fort Albany First Nation's downstream-focused information shaped water-related mitigation, including precautionary spill prevention that accounts for muskeg hydrology and long-range contaminant movement, and monitoring designed to detect effects beyond the Project footprint. These considerations are reflected in the Addendum's pathways-of-effect analysis and in the integration of	Partially Addressed. Addendum 1 includes a fuller mitigation discussion, but the proposed measures remain high-level, future-oriented, and in many places based on Webequie First Nation's circumstances and priorities. The record still does not distinguish firm commitments from proposed measures, identify what measures are specific to other Indigenous Nations, or explain how the remaining adverse impacts would be addressed if they affect FAFN's rights and way of life. This gap is tied directly to the severity problem: where the assessment minimizes impacts, the mitigation

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					Indigenous-informed water monitoring within the CEMP/OEMP and the CRP's stewardship and adaptive management framework.	response is also minimized. Further detail is set out in FAFN's comments on Addendum 1, including FAFN's comments on Sections 6.5 and 6.6.
21.	Section 19.4 / Section 22 / Appendix N – Monitoring, Committees, and Resources for FAFN Participation	The EA/IS describes monitoring and governance committees, but the resources required to support meaningful participation by FAFN are not clearly defined.	<p>The EA/IS outlines monitoring and follow-up programs and indicates that Indigenous Nations may participate in committees and monitoring activities related to environmental management and adaptive responses. This is an important step toward collaborative oversight.</p> <p>However, it is not clear what resources would be provided to enable FAFN to participate meaningfully in these processes. Effective participation in monitoring programs, advisory committees, and adaptive management processes requires sustained capacity, including funding, technical support, staffing, training, and timely access to information.</p> <p>Without clarity on these resources, it is difficult to understand how FAFN could realistically participate on an</p>	Clarify what resources and capacity support would be provided to enable FAFN to participate in monitoring programs, oversight committees, and adaptive management processes, including funding, technical expertise, staffing, training, and access to relevant data and reporting.	The ultimate owner/operator in the future development stages of the Project will provide further clarity on available resources and capacity to enable FAFN and other First Nations to participate in monitoring programs, oversight committees, and adaptive management processes that will primarily be identified and/or delivered through the Project's Community Readiness Working Group (CRWG).	<p>Not Addressed.</p> <p>The response defers clarity on funding, staffing, expertise, and capacity support to the future owner/operator and later development stages. That does not resolve FAFN's concern. FAFN's concern is not only about participation in monitoring. It is about whether FAFN will have the resources, authority, and institutional role needed to participate in oversight, interpretation of impacts, adaptive response, and project governance in a meaningful way. Those matters remain unsettled</p>

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			ongoing basis in the governance, review, and interpretation of monitoring results, or in decisions regarding adaptive management if mitigation measures prove insufficient.			
22.	Section 19.5 – Rights Assessment Repeats Earlier Environmental Conclusions	The rights assessment in Section 19.5 largely repeats earlier environmental conclusions rather than carrying out a fuller rights analysis.	Section 19.5 is framed as the part of the EAR/IS that addresses impacts on the exercise of Aboriginal and Treaty rights. However, for RSA communities, it mainly repeats earlier conclusions from Section 19.3, especially the idea that biophysical effects are not expected to extend into the RSA. That does not fully answer the rights question. Rights may be affected through indirect, cumulative, cultural, and access-related pathways, even where the environmental footprint is limited.	Provide a clearer rights-specific analysis in Section 19.5 rather than relying mainly on conclusions carried forward from earlier environmental sections.	Please refer to Addendum 1 of the Final EAR/IS for supplemental information on the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619-10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf	Partially addressed. Addendum 1 does provide a more rights-specific discussion than the original Section 19.5. However, FAFN’s broader concern remains because the assessment still often relies on distance, study boundaries, and generalized reasoning in reaching conclusions for RSA communities.
23.	Section 19.5.3.2 – Socio-economic, Health, and Well-being Rights in the RSA	Impacts on socio-economic, health, and well-being rights in the RSA are minimized	Section 19.5.3.2 concludes that these impacts will be negligible because RSA communities are distant from the Project and not directly connected by the road. That is too narrow. For FAFN, health and well-being are tied to access to traditional foods,	Expand the analysis of socio-economic, health, and well-being rights in the RSA to include indirect and cumulative effects on FAFN land-based well-being and food security.	Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619-10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf	Not Addressed. Addendum 1 now contains more discussion of food security, social pressures, outside access, substance-related risks, community well-being, and the relationship between land-based practices and health.

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		largely based on distance and commuting assumptions	time on the land, land-based family relationships, and the continued ability to rely on harvesting. These broader pathways are not clearly assessed.		10 WSR EAR-IS Addendum 1 Indigenous Peoples.pdf	<p>It recognizes that project-related changes may affect the social and environmental conditions that support the exercise of rights. In that sense, the issue is discussed more fully than before.</p> <p>However, FAFN’s concern remains that the assessment still minimizes these impacts for other RSA communities, even where the record acknowledges pressures that are neither minor nor easily contained. For FAFN, socio-economic, health, and well-being impacts are not separate from rights. If land-based food security is weakened, if outside access increases social pressure, if confidence in country foods is reduced, or if families spend less time on the land because conditions have changed, those are impacts on the meaningful exercise of rights and on the continuation of way of life.</p> <p>The addendum now identifies many of those pathways, but it still does not show how those effects were weighed in reaching low severity outcomes for RSA communities. In a region</p>

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						where permanent all-season road access is expected to change movement, access, land use, and social conditions over the long term, it is not enough to acknowledge these pressures and then treat them as low without a fuller explanation. The concern is therefore partly addressed in discussion, but not resolved in conclusion. Further detail is set out in FAFN's comments on Addendum 1.
24.	Section 19.5.4 / 19.5.4.3 – Self-Governance, Stewardship, and Self-Determination	The EAR/IS recognizes self-determination and stewardship in principle, but does not clearly assess how the project may affect those rights in practice.	<p>Section 19.5.4 uses strong language recognizing Indigenous Peoples' inherent rights to self determination, self-government, stewardship, and governance over lands and resources. However, the assessment does not clearly show how this recognition is reflected in the project framework, mitigation, monitoring, or the analysis of impacts for FAFN.</p> <p>Section 19.5.4.3 also relies in part on the absence of certain planning documents in the project record to support</p>	Reassess impacts on self-governance and self-determination based on FAFN stewardship responsibilities, asserted authority over lands and waters, and the practical governance role FAFN would have if the project proceeds.	Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/6619_10_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf	Not Addressed. Addendum 1 adds more discussion of stewardship, governance, and self-determination than the original EAR/IS. However, the practical concern remains unresolved. The record does not establish how FAFN's governance authority, stewardship responsibilities, and decision-making role would operate if the project proceeds. Under Treaty 9, FAFN's concern is not satisfied by the possibility of future participation in

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			<p>minimal governance impacts. That is not a sound basis for minimizing governance concerns. FAFN stewardship responsibilities and governance authority do not depend on whether a formal document was provided to the proponent.</p> <p>The section also contains an internal tension. It minimizes governance effects, yet also acknowledges that environmental, social, and economic changes due to the project may affect the ability of RSA communities to exercise rights related to self-governance and self-determination.</p>			<p>monitoring alone. What remains missing is any established governance role or governing power for FAFN in relation to project oversight, adaptive management, access, accommodation, and cumulative regional effects.</p>
25.	FPIC / UNDRIP	Issue FPIC and UNDRIP principles are acknowledged in principle, but not clearly applied in practice.	<p>The EAR/IS describes Free, Prior and Informed Consent and refers to UNDRIP and UNDA principles. However, beyond that recognition, the EA/IS does not clearly explain how the assessment or decision-making process reflects those principles in practice.</p> <p>The EAR/IS also acknowledges that information available at the time of the assessment was limited and did not yet reflect a full understanding of</p>	Clarify how the EAR/IS and broader EA/IA process give practical effect to FPIC, including how FAFN knowledge, perspectives, and governance processes informed the assessment of rights impacts and decisions affecting the territory.	The assessment of effects of the Project on Indigenous Peoples was influenced by Canada's adoption of the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA). The rights assessment framework was influenced by the articles of the United Nations Declaration on the Rights of Indigenous Peoples, and is intended to respect community-specific rights practices and governance protocols. There	<p>Not Addressed.</p> <p>The response still does not explain how FPIC would operate in practice for decisions affecting FAFN's lands, waters, and way of life. Consultation is not the same as establishing how FAFN would participate in decisions that may alter the conditions required to exercise rights in a meaningful way. Further also does not address FAFN's</p>

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			<p>community perspectives. Despite this, it still proceeds to draw conclusions regarding impacts on rights. For FAFN, the issue is not only whether engagement occurred. The issue is whether the process meaningfully supports the Nation's ability to participate in decisions affecting its lands, waters, and way of life in a manner consistent with its own governance responsibilities.</p>		<p>are 46 Articles under UNDRIP, which include but are not limited to full enjoyment of all human rights under the UN Universal Declaration of Human Rights, free and equal to all other peoples, self determination to determine political status, and pursue economic, social and cultural development, strengthen political, legal, economic, social and cultural institutions, practice and teach spiritual and religious traditions, customs and ceremonies, sustain and transmit to future generations histories, languages, oral traditions, philosophies, etc., establish and control education systems, and conservation and protection of the environment and productive capacity of traditional territories.</p> <p>The EAR/IS distinguishes between proponent-led assessment responsibilities and Crown obligations related to consultation, accommodation, and consent. Fort Albany First Nation's rights and governance interests are identified as matters requiring ongoing dialogue, Indigenous participation in monitoring, and adaptive management, rather</p>	<p>concern that the accelerated process itself limits whether participation can truly be prior and informed. Please refer to FAFN's comments on Addendum 1 for further explanations.</p>

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					<p>than being fully resolved in the EAR/IS.</p> <p>Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf</p>	
26.	Section 19.6 – Tables 19-17 and 19-18	The framework used to characterize the severity of impacts on Aboriginal and Treaty rights may not fully capture the way rights are exercised across FAFN territory and may rely too	Tables 19-17 and 19-18 establish the framework used to determine whether impacts on Aboriginal and Treaty rights are characterized as low, moderate, or high severity. Because the overall conclusion of the EAR/IS relies on this framework, the way these criteria are defined and applied is critically important. While the tables include several relevant factors, including geographic extent, cultural well being, cumulative effects, health, and impact inequity, the structure of the framework appears to rely heavily on environmental assessment-style metrics such as spatial extent,	Provide a clearer explanation of how each criterion in Tables 19-17 and 19-18 was applied when determining severity ratings for impacts on FAFN rights, and ensure that the framework adequately reflects the broader ecological, cultural, and governance conditions required for FAFN members to meaningfully exercise their Aboriginal and Treaty rights.	Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf	<p>Not addressed.</p> <p>The framework is more developed, but the connection between the framework and the actual results remains incomplete. Please refer to FAFN’s comments on Addendum 1.</p>

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		heavily on environmental-style impact metrics.	<p>duration, and reversibility. These criteria are important but do not fully capture how Aboriginal and Treaty rights are experienced and exercised by FAFN.</p> <p>For FAFN, the exercise of rights depends on a combination of ecological, cultural, and social conditions, including reliable access to lands and waters, availability of wildlife and fish, safe travel routes, quiet conditions for cultural practice, and the intergenerational transfer of knowledge. Even relatively localized environmental changes may disrupt these conditions in ways that are not fully reflected by metrics such as project footprint size or distance from the project.</p> <p>Finally, the EA/IS does not clearly demonstrate how each of the criteria in Table 19-18 was applied when determining the overall severity ratings presented in the EAR/IS. Without this explanation, it is difficult to understand how the final severity conclusions were reached.</p>			

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27.	Overall Comment	Overall methodological approach to assessing impacts on the exercise of FAFN rights.	The EAR/IS recognizes that FAFN members rely on the land for hunting, trapping, fishing, travel, gathering, and cultural practice. These are not isolated uses. They are part of a living relationship with the land that continues to sustain the Nation. Yet throughout the EAR/IS, the analysis often stays focused on environmental disturbance rather than clearly examining whether those changes affect the conditions required for FAFN members to continue practicing their way of life on the land. Wildlife availability, safe travel routes, intact ecosystems, cultural continuity, stewardship responsibilities, and the ability to teach the next generation are all part of how rights are exercised in a meaningful way. The result is an assessment that often acknowledges potential change, but still arrives at negligible conclusions without clearly showing how the rights analysis was carried through.	Provide a clearer, community-specific explanation of how environmental, social, cumulative, and governance-related changes associated with the project may affect the conditions required for FAFN members to continue exercising their Aboriginal and Treaty rights and maintaining their land-based way of life.	Please refer to Addendum 1 of the Final EAR/IS for a detailed description of the effects assessment on Indigenous Peoples, including potential impacts to Aboriginal and Treaty Rights, available at: https://www.supplyroad.ca/wp-content/uploads/2026/03/661910_WSR_EAR-IS_Addendum_1_Indigenous-Peoples.pdf	Not addressed. Addendum 1 materially expands the discussion of rights, pathways, cumulative effects, and mitigation. However, the broader methodological concern remains. The record identifies many possible effects on harvesting, access, cultural continuity, stewardship, and way of life, but then lands on minimizing conclusions without showing how that reasoning works from FAFN's perspective. The assessment continues to approach the Project through a narrow physical-footprint lens, even though FAFN's concern has always been regional, cumulative, and tied to Treaty rights, governance, and the long-term opening of the territory to industrial access.
Climate Change Assessment - Focused Review						
28.	-	-	1. The climate assessment evaluates only direct	-	The scope of the GHG emissions assessment was	Not addressed.

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			<p>project emissions and does not assess emissions enabled by the road, which could lock in emissions-intensive development</p> <ul style="list-style-type: none"> ● The GHG assessment limits its scope to direct project emissions, including construction equipment, vehicle traffic, generators, and land disturbance associated with the road corridor. ● The report explicitly excludes upstream and indirect emissions, including emissions associated with future development that may occur as a result of the road. ● However, the primary purpose of the WSR is to enable mineral development in the Ring of Fire region, and the GHG report acknowledges that future mining development near McFaulds Lake may not proceed if the WSR or other road projects do not come to fruition. ● Long-lived infrastructure investments can create “carbon lock-in,” whereby 		<p>strictly based on the requirements of the Strategic Assessment for Climate Change (SACC) from Environment and Climate Change Canada (ECCC) which requires proponents to exclude the project’s upstream and downstream chain supply related emissions and per extension, the carbon lock-in. While future carbon lock-in can certainly be attributed to a new road system providing new land access to an area, it is not possible to foresee its extent since it highly depends on future decisions with regard to potential mineral development in the Ring of Fire area and the level of effort from mine operators and other stakeholders in limiting their own GHG emissions. At a macro level, the carbon lock-in can also be positive with the development of a critical minerals economy supporting the world’s transition towards renewable energy. That said, not enough information is available to conclude whether the carbon lock-in associated with the WSR would impede Canada’s ability to meet its net-zero GHG emissions by 2050.</p>	<p>While the Strategic Assessment for Climate Change from Environment and Climate Change Canada may not require proponents to include the Project’s upstream and downstream supply chain-related emissions, impacts to FAFNs Rights and interests from induced emissions are of critical concern to FAFN. Induced emissions, and the resulting climate changes, may affect community travel and access, community safety, harvesting, food security, and cultural continuity. By excluding emissions associated with induced development, the assessment leaves out the largest potential long-term source of greenhouse gas emissions associated with the Project.</p>

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			<p>infrastructure development commits regions to high-emissions development pathways for decades. Avoiding such lock-in is widely recognized as essential for meeting national and global climate targets (Unruh 2000; IPCC AR6).</p> <ul style="list-style-type: none"> ● Because the WSR is intended to enable access to mineral deposits and associated infrastructure in the Ring of Fire region, it could lock in decades of additional greenhouse gas emissions from mining, transportation, and energy systems that are not evaluated in the climate assessment. ● By excluding emissions associated with induced development, the assessment does not evaluate the primary long-term source of greenhouse gas emissions that the project is intended to enable, which may have implications for Canada's ability to meet its legislated commitment to achieve net-zero greenhouse gas emissions by 2050. 			

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			<p>Reference:</p> <ul style="list-style-type: none"> ● Appendix H, Section 2, p. 9 ● Unruh, G. C. (2000). Understanding carbon lock-in. Energy Policy, 28(12), 817–830. https://doi.org/10.1016/S0301-4215(00)00070-7 ● IPCC (2022). Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change. Cambridge University Press. https://doi.org/10.1017/9781009157926 			
29.	-	-	<p>2. Peatland greenhouse gas emissions estimates rely on simplified assumptions and limited site-specific data</p> <ul style="list-style-type: none"> ● The GHG assessment identifies peatland disturbance as a source of emissions, including the release of stored carbon and changes in methane flux. ● The analysis assumes that organic soils compressed beneath the floating road 	-	Peatland-related GHG emissions combine the methane flux and the net carbon ecosystem exchange (NEE) which represents the difference between the CO2 uptake from the atmosphere and the CO2 flux from peat or peat respiration through microorganisms. By nature, these phenomena are highly variable and depend on many factors including climate / meteorological conditions, the water table level, and	<p>Not addressed.</p> <p>Emission estimates are based on regional emission flux values derived from studies of bogs and fens in the Hudson Plains ecozone rather than site-specific measurements within peatlands directly affected by the Project. Thus, there are substantial uncertainties in estimating peatland emissions (e.g., 70% uncertainty in emission</p>

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			<p>structure will slow or stop decomposition, resulting in reduced methane emissions and avoidance of carbon dioxide emissions from peat respiration. • Based on this assumption, the model estimates that reductions in methane emissions from compressed peat may partially offset project emissions.</p> <ul style="list-style-type: none"> ● The assessment also assumes that peatlands beneath the roadbed contain no releasable carbon stock because the peat will not be excavated or drained. ● Emission estimates are based on regional emission flux values derived from studies of bogs and fens in the Hudson Plains ecozone rather than site-specific measurements within peatlands directly affected by the project. ● The report identifies substantial uncertainties in estimating peatland emissions, including approximately 70% uncertainty in emission 		<p>vegetation composition and cover, and are known to vary through the seasons and interannually. Even with the most robust but limited site-specific data, the confidence level on these calculations would still be low given these varying factors combined with the length of the road. The SACC referred by the TISG allows the use of models and studies over site-specific measurements. It is also worth noting that the floating road design is a preferred approach when it comes to minimizing its impact on GHG emissions from wetlands since it avoids drainage and excavation that would cause peat to be exposed to air generating large volumes of CO₂.</p>	<p>fluxes, 76% in peatland emissions estimates). By nature, NEE is highly variable and dependent on many factors including climate, meteorological conditions, water table level, and vegetation composition. Therefore, without site-specific studies that explore intra- and inter-annual variability, the Proponent's assessment cannot be considered adequate to understand potential impacts of peatland greenhouse gas emissions on FAFN Rights and interests.</p>

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			<p>fluxes and an overall uncertainty of approximately ±76% in peatland emissions estimates.</p> <ul style="list-style-type: none"> ● Given the large carbon stores contained in Hudson Bay Lowlands peatlands and their sensitivity to hydrological disturbance, these uncertainties raise concerns that greenhouse gas emissions associated with peatland disturbance may be underestimated. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 9 ● Appendix H, Section 3.2.3.3 p. 32-33, Appendix A 			
30.	-	-	<p>3. The climate assessment assumes peatland carbon emissions diminish within a limited analysis timeframe</p> <ul style="list-style-type: none"> ● The Atmospheric Environment chapter indicates that carbon emissions associated with soil disturbance and peat oxidation are expected to diminish or cease after approximately 20 years. ● Construction emissions are distributed over a 25- 	-	<p>The climate assessment did not consider peat oxidation given that drainage/excavation is not planned. As long as the peat remains underwater, its partial conversion into CO₂ is not expected to change, at least significantly. Obviously, the packing of soil and aggregates over peatland should displace a portion of the organic material on the side which could render it more susceptible to oxidation by air to an extent that cannot be predicted.</p>	<p>Not addressed.</p> <p>FAFN finds the Proponent's response inadequate for the following reasons:</p> <p>1) The climate assessment did not consider peat oxidation given that drainage and excavation is not planned. However, the Project Description indicates that peat compression of approximately 40% may occur even where</p>

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			<p>year analysis period for the purposes of estimating annual project emissions.</p> <ul style="list-style-type: none"> ● However, peatland drainage, oxidation, and altered greenhouse gas fluxes can continue for decades or longer where hydrological conditions are disturbed. ● Peatlands also function as long-term carbon sinks through the accumulation of organic matter, meaning that conversion of peatlands to road infrastructure results in the loss of ongoing carbon sequestration. ● As discussed in the Vegetation and Wetlands review, the EA does not clearly demonstrate that the proposed road design and hydrological mitigation measures will maintain peatland water balance and ecological function. ● If hydrological disturbance persists beyond the timeframe assumed in the emissions model, or if carbon sequestration is permanently reduced, greenhouse gas impacts 		<p>The carbon emissions associated with soil disturbance applies instead to the upland section of the road where mineral soil will be scraped, excavated and graded. This action will bring the buried soil carbon in contact with air allowing it to slowly oxidize into CO₂. A 20-years period is assumed to achieve complete oxidation. The climate assessment was done for the first 25 years of the Project starting with the construction phase. Construction emissions were estimated for each of the 5 years of construction planned at this stage and were not distributed over 25 years as implied in the comment. We agree that changes in the GHG emissions profile from peatlands compared to the baseline status (current and naturally evolving conditions) will extend beyond the 25-year timeframe, which includes the loss of ongoing carbon sequestration that was accounted in the net carbon ecosystem exchange (NEE) representing the difference between the CO₂ uptake from the atmosphere and peat respiration.</p>	<p>geosynthetic reinforcement is used. Peat compression can reduce hydraulic conductivity and cause pooling upstream of the road, and drying downstream, which can be a source of emissions. This uncertainty raises concerns that greenhouse gas emissions associated with peatland disturbance may be underestimated.</p> <p>2) The EIS states that depending on the performance of the floating road, there is potential for conversion to a permanent roadway. This has not been assessed from a carbon emissions perspective. Conversion to a permanent roadway would greatly increase carbon emissions. This is not considered by the Proponent, even though this may be required if the floating road cannot accommodate reasonable foreseeable traffic.</p>

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			<p>associated with peatland disturbance could extend well beyond the 25-year timeframe considered in the assessment.</p> <ul style="list-style-type: none"> ● As a result, the climate assessment may underestimate the long-term greenhouse gas implications of peatland disturbance. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 9.5.2.2.2 p. 9-125 			
31.	-	-	<p>4. Climate impact significance is determined primarily by comparison to national emissions totals</p> <ul style="list-style-type: none"> ● The EA concludes that project-related emissions represent approximately 0.0067% of Canada’s annual emissions, and therefore are not considered significant. ● Comparing project emissions to national totals can make even substantial emissions appear negligible, because any single project will represent only a small fraction of overall emissions. ● The EA also states that national and provincial 	-	<p>As mentioned in the response to Comment #28, the carbon lock-in from people, potential mines and other stakeholders that will use the WSR cannot be foreseen and is not considered within the scope of work of the EA/IA. The overarching impact of the WSR on GHG emissions in the region and how it would integrate into Canada’s climate targets remains unknown without specific details about the mining operations. The impact of the WSR on GHG emissions could only be established based on available known information which resulted in emissions being of low magnitude. We have assumed that any future mining projects in the Ring of Fire area will also go through EA process</p>	<p>Not addressed.</p> <p>FAFN finds the Proponent’s response inadequate for the following reasons:</p> <p>1) Comparing Project emissions to national totals can make even substantial emissions appear negligible, because any single project will represent only a small fraction of overall emissions. There are more appropriate comparisons - for example, the Marten Falls Community Access Road EA/IS defines magnitude categories for greenhouse gas emissions using explicit thresholds based on the Project’s contribution to provincial transportation emissions.</p>

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			<p>emissions are expected to decline due to government policies, and that this trend would continue regardless of whether the Project proceeds because the Project’s contribution to national emissions is small.</p> <ul style="list-style-type: none"> ● This reasoning assumes that climate targets will be achieved independently of emissions from individual projects. However, national emissions targets can only be achieved if emissions from individual sources are reduced or avoided. Infrastructure projects that add new emissions may therefore affect the ability to meet those targets. ● This approach does not evaluate whether the project is compatible with Canada’s climate targets or the emissions reductions required to achieve net-zero greenhouse gas emissions by 2050. ● It also does not account for emissions associated with future industrial development enabled by the road. 		<p>and investigate their carbon footprint and how to reduce it.</p>	<p>2) The Proponent does not consider induced development in its assessment because “the carbon lock-in from people, potential mines and other stakeholders that will use the WSR cannot be foreseen”. However, Section 22 of the Tailored Impact Statement Guidelines identifies a suite of projects or activities that are to be considered, at a minimum, in the cumulative effects assessment. It is unclear why carbon emissions associated with these projects are not considered.</p>

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			<ul style="list-style-type: none"> ● By contrast, the Marten Falls Community Access Road EA/IS defines magnitude categories for greenhouse gas emissions using explicit thresholds based on the project's contribution to provincial transportation emissions. ● The use of defined magnitude thresholds provides a clearer basis for evaluating the significance of project emissions. ● As a result, the significance determination used in the WSR assessment may understate the potential climate implications of the project and its compatibility with Canada's climate commitments. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 9.5.2.2.3, p. 9-126 ● Section 9.6.2, p. 9-130 ● Section 9.9, p. 9-133 • Appendix H, Section 5, p. 46 			
32.	-	-	<p>5. Climate change interactions with peatland disturbance and regional development are not</p>	-	The interaction of extreme meteorological events and climate change on the WSR components and how it could interact with its surroundings	<p>Not addressed.</p> <p>Section 24 and Appendix I do not evaluate how climate change may interact with</p>

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			<p>fully assessed</p> <ul style="list-style-type: none"> ● Climate change is identified in the EA as a potential stressor affecting wetlands and vegetation through changes in precipitation patterns, drought, flooding, and wildfire risk. ● However, the EA does not clearly evaluate how climate change may interact with peatland disturbance caused by road construction or with other developments in the region. ● While climate change is discussed in the Atmospheric Environment chapter and peatland impacts are assessed in the Vegetation and Wetlands chapter, the interaction between these stressors is not clearly analyzed. ● As a result, project effects and climate change are considered largely as separate stressors rather than assessing their combined impacts on peatland ecosystems. ● Peatlands are sensitive to changes in hydrology, temperature, and fire 		<p>was covered in Section 24 and Appendix I, and not in Sections 9 and 11.</p>	<p>peatland disturbance caused by road construction. Rather, these sections describe the effects of the environment on the Project (e.g., damage to Project components, schedule delays). There are only three mentions of the word “peatland” in Section 24, none of which meaningfully describe the effect of Project disturbance and climate change on peatlands. Understanding this interaction is important for FAFN, as disturbances associated with road construction could interact with climate-driven changes to amplify peatland degradation and carbon loss. Limited evaluation of these interactions may therefore underestimate long-term risks to peatland ecosystems and associated greenhouse gas emissions.</p>

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			<p>regimes.</p> <ul style="list-style-type: none"> ● Disturbance associated with road construction could interact with climate-driven changes to amplify peatland degradation and carbon loss. ● Limited evaluation of these interactions may therefore underestimate long-term risks to peatland ecosystems and associated greenhouse gas emissions. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 9 ● Section 11 			
33.	-	-	<p>6. Potential greenhouse gas emissions from accidents and malfunctions are not evaluated</p> <ul style="list-style-type: none"> ● The Tailored Impact Statement Guidelines for the federal impact assessment require the Impact Statement to characterize potential accidents and malfunctions and describe the contaminants and greenhouse gases that may be released. ● The GHG report states 	-	<p>GHG emissions from accidents and malfunctions can only be quantified when the system in cause is somewhat delimited and the event can be foreseeably predicted. While we agree that accidents generating vehicle fires and wildfires will generate GHG emissions, it is not possible to demonstrate their extent as it depends on many factors.</p>	<p>Not addressed.</p> <p>The Tailored Impact Statement Guidelines for the federal impact assessment require the Impact Statement to characterize potential accidents and malfunctions and describe the contaminants and greenhouse gases that may be released. The absence of any evaluation of potential greenhouse gas emissions associated with accidents and malfunctions may underestimate potential emissions associated with</p>

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			<p>that emissions associated with accidents or malfunctions are not evaluated because the road will not operate materials that could result in emissions through spills or combustion.</p> <ul style="list-style-type: none"> ● However, accidents and malfunctions in linear infrastructure projects can include disturbance events such as vehicle fires, equipment fires, fuel spills, or wildfires associated with construction or road use. ● Such disturbance events can result in greenhouse gas emissions through the combustion or degradation of vegetation, soils, or peatlands, even where the project itself does not routinely handle hazardous materials. ● This consideration may be particularly relevant in peatland landscapes, which store large quantities of carbon and may release greenhouse gases if disturbed by fire or other events. ● Although the magnitude of such emissions may be uncertain, accident and 			<p>disturbance events during the life of the Project.</p>

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			<p>malfunction scenarios are typically described qualitatively in impact assessments where precise quantification is not possible.</p> <ul style="list-style-type: none"> ● The absence of any evaluation of potential greenhouse gas emissions associated with accidents and malfunctions may therefore underestimate potential emissions associated with disturbance events during the life of the project. <p>Reference:</p> <ul style="list-style-type: none"> ● Appendix H, Section 2.3.1, p. 14 			

Vegetation and Wetlands Assessment – Focused Review

34.	-	-	<p>1. The assessment does not adequately recognize the globally significant and highly sensitive nature of peatland ecosystems in the Hudson Bay Lowlands</p> <ul style="list-style-type: none"> ● The EA treats peatlands within a broad “Vegetation and Wetlands” valued component, rather than assessing peatlands as a distinct ecological system with unique hydrological, ecological, and climate 	-	The proponent acknowledges the concern regarding the recognition and assessment of peatland ecosystems within the EAR/IS. The Hudson Bay Lowlands contain extensive and ecologically significant peatland complexes that support important hydrological functions, biodiversity, and long-term carbon storage, and the proponent recognizes the sensitivity of these systems to disturbance, particularly changes to surface and	<p>Not addressed.</p> <p>FAFN reiterates its concern that the lack of a peatland-specific assessment framework raises concerns that the EA may not adequately characterize the ecological and climate risks associated with disturbance of one of the world’s largest peatland systems.</p>
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			<p>functions.</p> <ul style="list-style-type: none"> ● The Hudson Bay Lowlands contain one of the largest peatland complexes in the world, representing globally important carbon stores and hydrological systems. ● Peatlands are highly sensitive to disturbance, particularly hydrological alteration, and can take centuries to millennia to develop. ● By contrast, the Marten Falls Community Access Road EA/IS treats peatlands as a standalone valued component with a dedicated assessment (Section 9.3.5 – Peatlands), including indicators related to ecosystem composition, function, and carbon dynamics. ● The lack of a peatland-specific assessment framework raises concerns that the EA may not adequately characterize the ecological and climate risks associated with disturbance of one of the world’s largest peatland systems. 		<p>subsurface hydrology. Peatland ecosystems were assessed within the Vegetation and Wetlands valued component, reflecting their ecological integration with other wetland types present along the Project corridor, including marshes, and wetland-forest complexes. As described in Section 11.1.4 (Valued Subcomponents and Indicators), Wetland Functions, which include peatlands, and peat-forming systems, were identified as a valued subcomponent, with indicators selected to assess changes to vegetation communities, wetland extent, and ecosystem function. Characterization of existing peatland distribution, type, and condition was informed by field investigations, interpretation of aerial imagery, and available regional datasets, as documented in Section 11.2.1 and supporting appendices (Appendix F and Appendix K-1). The potential effects to peatlands, particularly those associated with vegetation clearing, ground disturbance, and hydrological alteration, were assessed through the effects assessment for the</p>	

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			<p>Reference:</p> <ul style="list-style-type: none"> ● Section 11.1.4 – Valued Subcomponents and Indicators (p. 11-27). 		<p>Vegetation and Wetlands valued component (Section 11.3, Section 11.5 to 11.12, and Section 21). The assessment considered both direct effects within the Project footprint and indirect effects related to changes in local hydrology and drainage patterns, drawing on information presented in the Assessment of Effects on Geology, Terrain and Soils (Section 6), Surface Water (Section 7) and Groundwater (Section 8).</p> <p>Mitigation measures applicable to peatland and wetland environments are described in several places throughout the EAR/IS. These measures include route refinement and micro-siting to avoid sensitive areas where feasible, construction techniques designed to limit excavation and disruption of peat soils, erosion and sediment control measures, and post-construction restoration of disturbed wetland and peatland areas (e.g., Section 11.4, Section 11.13, Appendix E, Appendix K-3 and Appendix K-4).</p> <p>While peatlands were not identified as a standalone VC, the proponent notes that the</p>	

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					<p>assessment framework was designed to capture key peatland attributes—such as vegetation composition, hydrological function, and ecosystem sensitivity—within the broader wetlands assessment.</p> <p>Residual effects were characterized based on the spatial extent of disturbance relative to the regional peatland landscape, the application of mitigation measures, and the anticipated maintenance of wetland and peatland functions at the local and regional scale.</p> <p>The proponent is open to continued dialogue with Fort Albany First Nation regarding peatland protection and monitoring. Follow-up and monitoring commitments described in the EAR/IS for Vegetation and Wetlands, Groundwater, and Surface Water provide a mechanism to verify predicted effects, evaluate the effectiveness of mitigation measures during construction, and inform future monitoring and management requirements. During road operations, such requirements would be the responsibility of the future road owner or operator and addressed in</p>	

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					accordance with applicable regulatory approvals and requirements (Section 11.13).	
35.	-	-	<p>2. Road design and hydrological mitigation effectiveness in peatlands are not clearly demonstrated</p> <ul style="list-style-type: none"> ● The EA indicates that portions of the road crossing peatlands will use a “floating road” design constructed by placing aggregate over geotextile or geogrid directly on peat soils. ● The EA does not clearly demonstrate that this design approach has been successfully implemented in other large, hydrologically interconnected peatland. ● The Project Description indicates that approximately 56 km of the road would cross peatlands, with peat depths typically ranging from 2–4 metres. ● The design assumes that the road embankment will remain stable despite the highly compressible nature of peat soils, which are expected to undergo 	-	<p>The proponent acknowledges the concerns regarding the effectiveness of road design and hydrological mitigation measures in peatland environments. Peatland systems are recognized as having important ecological, cultural, and downstream importance. Approximately 56 km of the WSR crosses peatland terrain, and the Project has been designed to minimize disturbance to peat soils and associated hydrological functions. As described in the Preliminary Engineering Design Report (Appendix D-1, Section 4.1.4.4), peatland sections of the road will be constructed using a floating road approach intended to avoid peat excavation and reduce direct alteration of peat deposits. To maintain lateral surface and groundwater movement across peatland areas, the design incorporates mitigation measures such as permeable embankment materials, drainage blankets, subdrains,</p>	<p>Not addressed.</p> <p>The Proponent has not provided sufficient evidence (i.e., case studies) to suggest that the floating road design approach has been successfully implemented in other large peatland complexes. The Proponent has not provided enough detail on the proposed mitigation measures (e.g., culvert spacing, subdrain locations) to provide FAFN with assurance that impacts to peatlands from the floating road design will not be significant.</p>

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			<p>substantial settlement as the peat consolidates under the weight of the road embankment. The Project Description indicates that peat compression of approximately 40% (±) may occur even where geosynthetic reinforcement is used.</p> <ul style="list-style-type: none"> ● Hydrological mitigation measures such as equalization culverts, drainage blankets, and subdrains are proposed where the road crosses low-lying peatlands in order to maintain surface and subsurface water movement. ● The EA does not clearly demonstrate that these design approaches will maintain peatland hydrology and ecological function over the long term, and key design parameters remain subject to further investigation, including peat strength, groundwater flow conditions, geosynthetic configuration, and construction sequencing. ● In peatland landscapes 		<p>and frequent equalization culverts (Sections 7.4 and 8.4 of the EAR/IS). The EAR/IS recognizes the sensitivity of peatland hydrology to linear infrastructure and assesses potential effects on peatland function and downstream systems (Sections 7.3 and 8.3). Potential effects on peatland hydrology and groundwater–surface water interactions were assessed using multi-year baseline monitoring, hydrological and hydrogeological analyses, and Indigenous Knowledge, including information provided by Fort Albany First Nation (Sections 7.1.3 and 8.1.3). Based on the application of proposed mitigation measures, the assessment indicates that the Project is not expected to result in permanent or significant changes to peatland hydrological function (Sections 7.5 and 8.5).</p>	

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			<p>with extremely low topographic gradients, even small changes in surface elevation or subsurface flow pathways can alter water movement across the landscape, meaning that linear embankments may disrupt peatland hydrology even where equalization culverts are installed.</p> <ul style="list-style-type: none"> ● Linear infrastructure such as roads can alter wetland hydrology by obstructing lateral water movement and modifying drainage patterns, which can lead to long-term ecological change in peatland ecosystems (Geological Survey of Canada 2021). ● Because peatland ecosystems depend on stable hydrological conditions and can take centuries to develop, hydrological disturbance caused by road construction could result in long-term or irreversible loss of peatland ecosystem functions. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 4 – Project Description. 			

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			<ul style="list-style-type: none"> ● Geological Survey of Canada. 2021. Regional Wetland Status and Sensitivity to Disturbances near Fox Creek, Alberta. Geological Survey of Canada Open File 8812. https://www.researchgate.net/publication/354053169_GEOLOGICAL_SURVEY_OF_CANADA_OPEN_FILE_8812_Regional_wetland_status_and_sensitivity_to_disturbances_near_Fox_Creek_Alberta 			
36.	-	-	<p>3. Wetland function modelling framework may mask peatland-specific impacts</p> <ul style="list-style-type: none"> ● The EA concludes that the project will result in only very slight changes ($\pm <5\%$) in the aggregate wetland function index, based on modelling of 50 functional indicators aggregated into a single index. ● The modelling framework: <ul style="list-style-type: none"> ○ aggregates 50 indicators into a single composite index; ○ assigns positive 	-	<p>The proponent acknowledges the concern that the wetland function modelling framework may not fully capture peatland-specific ecosystem processes. Peatlands provide distinct and critically important functions (such as hydrological regulation, carbon storage, and water filtration) that are driven by long-term peat accumulation processes fundamental to maintaining ecological integrity and influencing downstream environmental conditions. As described in Section 11.3.3.4 (Modelling Effects to Wetland Function) and</p>	<p>Partially addressed.</p> <p>The EAR/IS concludes that peatland functions are expected to be largely maintained, with no significant adverse effects predicted. However, there is a high level of uncertainty with respect to multiple wetland parameters (e.g., carbon dynamics).</p>

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			<p>responses to factors such as upland species expansion and increased access;</p> <ul style="list-style-type: none"> ○ evaluates functions primarily at the level of wetland vegetation classes and regional modelling. ● This approach may obscure impacts to peatland ecosystem processes such as: <ul style="list-style-type: none"> • hydrological regulation • peat accumulation • carbon storage • water filtration • vegetation community structure. ● Losses in these functions may be diluted by unrelated indicators within the composite index, raising questions about whether the modelling framework is capable of detecting meaningful peatland impacts. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 11.3.3.4 – Modelling Effects to Wetland Function (p. 11-108–109), Table 11-34 and Appendix K-1 - Vegetation and Wetland Function Effects Modelling. 		<p>Appendix K-1 (Wetland Function Assessment), a standardized, regional modelling framework was applied to evaluate changes across 50 functional indicators at the wetland class level. This approach supports consistent comparison across a large, heterogeneous landscape and facilitates the identification of broad patterns of change. The proponent acknowledges that this aggregate index is not intended to replace discipline-specific assessments, nor to fully characterize all peatland processes in isolation, particularly where changes may be subtle or localized. Accordingly, potential effects on peatland hydrology, groundwater–surface water interactions, and ecological functions are assessed using multiple complementary lines of evidence across the EAR/IS, including the assessment for Surface Water (Section 7), Groundwater (Section 8), and Vegetation and Wetlands (Section 11). These sections consider peatland sensitivity, low-gradient hydrological conditions, and the risk of</p>	

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					<p>altered flow paths associated with linear infrastructure. Based on the application of proposed design and mitigation measures, the EAR/IS concludes that peatland functions are expected to be largely maintained, with no significant adverse effects predicted.</p> <p>Monitoring and adaptive management requirements applicable to construction are described in the EAR/IS and will be implemented by the proponent during construction. Monitoring and adaptive management during road operations would be the responsibility of the future road owner/ operator. Engagement with Fort Albany First Nation during the planning and assessment phase has informed the understanding of peatland function and potential effects associated with the Project.</p>	
37.	-	-	<p>4. Key uncertainties about peatland impacts are deferred to post-construction monitoring</p> <ul style="list-style-type: none"> ● The EA appears to rely on post-construction monitoring to identify impacts that were not 	-	<p>The proponent acknowledges concerns regarding uncertainties related to peatland impacts being addressed through follow-up monitoring rather than being fully resolved prior to project approval. Given the sensitivity</p>	<p>Not addressed.</p> <p>FAFN reiterates its concern that uncertainties about peatland impacts are deferred to post-construction monitoring</p>

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			<p>predicted in the assessment, raising questions about whether potential effects have been adequately characterized prior to project approval.</p> <ul style="list-style-type: none"> ● The EA acknowledges that more detailed observations will be obtained through the Wetland Function Monitoring Program, indicating that some effects may only be understood during follow-up monitoring. ● Given that peatland disturbance can be long-lasting or irreversible, monitoring after construction may not be sufficient to prevent impacts. ● The Wetlands Function Monitoring Program does not clearly demonstrate how follow-up monitoring will verify predicted peatland impacts or evaluate mitigation effectiveness, as required by the Tailored Impact Statement Guidelines. ● The monitoring plan does not clearly identify: <ul style="list-style-type: none"> ○ The elements 		<p>of peatland ecosystems, disturbances may be long-term and/or difficult to reverse if not appropriately anticipated and managed.</p> <p>Section 11.11 of the EAR/IS (Prediction Confidence in the Assessment) describes uncertainties inherent to large-scale linear infrastructure projects in peatland environments, particularly where site-specific conditions may vary spatially and temporally (e.g., peat properties and hydrological connectivity). These uncertainties do not reflect a lack of assessment, but rather acknowledge limitations associated with predictive modelling at this stage of project development and the need to confirm predictions under real-world conditions. Potential effects on wetland (including peatland) hydrology and function are assessed using multiple complementary lines of evidence across the EAR/IS, including field investigations, hydrological and hydrogeological analyses, vegetation and wetland assessments, and Indigenous Knowledge.</p> <p>The Wetland Function</p>	

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			<p>requiring follow-up</p> <ul style="list-style-type: none"> ○ The parameters that will be used to evaluate peatland impacts ○ The implementation timetable or duration of monitoring ○ The intervention mechanisms that would be triggered if unacceptable outcomes are observed. <p>Reference:</p> <ul style="list-style-type: none"> ● Section 11.11 – Prediction Confidence (p. 11-152). ● Section 11.13 – Follow-Up and Monitoring (p. 11-152–153). 		<p>Monitoring Program, described in Section 11.13, is designed to verify predicted effects and the effectiveness of mitigation measures, consistent with TISG. Monitoring during construction will focus on wetland (and peatland) areas where net effects and uncertainty are greatest and would evaluate the effectiveness of mitigation measures. Monitoring results will also be used to confirm predicted outcomes and to support adaptive management, including the refinement of mitigation measures where monitoring indicates that performance objectives are not being achieved.</p> <p>The proponent acknowledges Fort Albany First Nation’s request for clarity regarding monitoring parameters, duration, and response mechanisms. These elements will be further developed and refined through the preparation of final monitoring and management plans, in collaboration with regulators and Indigenous communities. The proponent remains committed to ongoing engagement to support transparent and responsive</p>	

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					follow-up programs and to inform the protection of peatland ecosystems and downstream environments associated with the Project.	
38.	-	-	<p>5. Feasibility and ecological equivalency of the proposed wetland compensation strategy are uncertain</p> <ul style="list-style-type: none"> ● The restoration plan estimates that the project will result in the loss of approximately 380 ha of wetlands, but identifies only ~97 ha of potential restoration opportunities within the Regional Study Area. ● The plan indicates that remaining compensation requirements may need to be addressed through: <ul style="list-style-type: none"> ○ restoration outside the study area ○ cash-in-lieu mechanisms ○ funding wetland research. ● Offsetting is proposed at an ecologically inappropriate 1:1 ratio which does not consider time lag effects or climate uncertainty. ● The restoration framework 	-	<p>The proponent acknowledges concerns regarding the feasibility and ecological equivalency of the proposed wetland compensation strategy, particularly with respect to peatland ecosystems. Peatlands provide unique, long-developed ecological functions that are not readily replaced through conventional restoration approaches or within short timeframes. The EAR/IS recognizes these limitations and does not assume that compensation measures can fully replicate pre-disturbance peatland conditions. As described in Appendix K-3, the compensation framework is preliminary and identifies potential restoration opportunities while recognizing the constraints on the availability and feasibility of peatland restoration within the RSA. Where like-for-like peatland restoration is not practicable, alternative mechanisms may be</p>	No further comments.

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			<p>also acknowledges that peatland restoration may not always be feasible and that other wetland types may be substituted where necessary.</p> <ul style="list-style-type: none"> ● Proposed success criteria focus primarily on vegetation establishment, rather than recovery of key peatland ecosystem functions such as: <ul style="list-style-type: none"> ○ Hydrology ○ peat accumulation ○ carbon storage ○ wildlife and cultural uses. ● These factors raise substantial uncertainty regarding whether compensation measures can realistically replace peatland ecosystem functions. <p>Reference:</p> <ul style="list-style-type: none"> ● Appendix K-3 – Vegetation Conceptual Restoration Plans. 		<p>considered through applicable regulatory processes. The proponent emphasizes that avoidance and minimization of peatland disturbance are the primary components of the mitigation hierarchy applied to the Project, with compensation considered only after these measures have been implemented, and where residual effects remain. The final compensation approach (including ratios, performance criteria, and monitoring requirements) will be refined through permitting and engagement with regulators and Indigenous communities, including Fort Albany First Nation, with recognition of the inherent limits of peatland restoration and the importance of long-term ecological and cultural values.</p>	
39.	-	-	<p>6. Cumulative effects assessment may underestimate regional peatland impacts</p> <ul style="list-style-type: none"> ● The cumulative effects assessment does not include the Marten Falls Community Access Road 	-	<p>The proponent acknowledges the concern that cumulative effects on peatland ecosystems may be underestimated when assessed at a project scale. Given that peatlands function as regionally connected</p>	<p>Not addressed.</p> <p>The TISG requires the Proponent to identify and justify the spatial and temporal boundaries for the cumulative effect assessment for each VC</p>

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			<p>project in the list of developments considered for vegetation and wetlands, and no rationale for its exclusion is provided.</p> <ul style="list-style-type: none"> ● Given that both projects are part of the broader Ring of Fire transportation network, this raises concerns that the assessment relies on narrow spatial or analytical boundaries that exclude closely related infrastructure. ● Additional concerns include: <ul style="list-style-type: none"> ○ Inconsistent estimates of cumulative habitat loss reported in different sections of the EA ○ Conclusions that cumulative effects will be negligible despite limited information about future development footprints ○ Reliance on assumptions that other projects will implement similar mitigation measures ○ Limited integration of 		<p>systems, cumulative effects may arise from the combined influence of multiple potential infrastructure projects, resource development, and climate change across the broader Ring of Fire area. As described in Section 21, the EAR/IS evaluates the Project’s incremental contribution to cumulative effects by considering predicted net effects in combination with past, present, and reasonably foreseeable developments within defined RSAs, consistent with federal and provincial guidance. While the project-specific cumulative effects assessment considers other proposed road projects, potential mining developments, and climate change as cumulative stressors, broader regional cumulative effects (particularly those driven by future development decisions beyond the proponent’s control and outside the defined Regional Study Area for the project assessment) cannot be fully addressed through a single project-specific assessment and are more appropriately considered through other broader regional assessments.. The proponent’s scope of</p>	<p>selected, taking into account spatial and temporal boundaries for VCs related to effects and impacts on Indigenous peoples defined in collaboration with the Indigenous groups concerned. Cumulative and induced development is a critical concern to FAFN; this should be included in the cumulative effects assessment (e.g., Marten Falls Community Access Road).</p> <p>Further, the Proponent has not addressed the following concerns:</p> <ul style="list-style-type: none"> a) Inconsistent estimates of cumulative habitat loss reported in different sections of the EA b) Conclusions that cumulative effects will be negligible despite limited information about future development footprints c) Reliance on assumptions that other projects will implement similar mitigation measures

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			<p>climate change as a cumulative stressor affecting peatland ecosystems</p> <ul style="list-style-type: none"> ● Together, these issues raise concerns that cumulative risks to peatland ecosystems may be underestimated <p>Reference:</p> <ul style="list-style-type: none"> ● Chapter 21 – Cumulative Effects Assessment. 		<p>responsibility is focused on route selection, design and construction-phase measures that support avoidance and minimization of peatland disturbance. Mitigation, follow-up monitoring, and adaptive management will be implemented by the future owner/operator of the road, in accordance with regulatory requirements and approvals. Engagement with Fort Albany First Nation during the planning and assessment phase has been undertaken to inform the design of the Project and to support limiting the Project's contribution to cumulative effects over time.</p>	<p>d) Limited integration of climate change as a cumulative stressor affecting peatland ecosystems</p> <p>Together, these issues raise concerns that cumulative risks to peatland ecosystems may be underestimated.</p>

7. APPENDIX B: FAFN Comments on Webequie Supply Road EA/IS Addendum 1

FAFN Comments on Webequie Supply Road EA/IS, Addendum 1

This document provides Fort Albany First Nation's (FAFN) comments on Addendum 1 to the Webequie Supply Road (WSR) Project ("the Project") Environmental Assessment Report/Impact Statement (EAR/IS).

FAFN reviewed Addendum 1 against the concerns previously raised by FAFN in relation to Section 19, Section 22, and Appendix N of the Final EAR/IS, with particular attention to Appendix A Table 1, where the Project Team explains how it says FAFN's draft EAR/IS comments were addressed. In FAFN's view, Addendum 1 contains substantial discussion of pathways of effect, rights categories, cumulative effects, and mitigation, but important gaps remain in how severity is explained, how FAFN's concerns are carried through, how downstream and connected-system risks are assessed, and how mitigation, accommodation, monitoring, and follow-up are still deferred or left unclear.

1. Major information gaps remain

The addendum says a "conservative approach" was used where information was uncertain, but it does not explain what that means in practice or whose interests that conservatism is protecting. However, it is unclear what a "conservative approach" means in this context. Where the assessment is dealing with Aboriginal and Treaty rights, cultural continuity, and long-term changes to way of life, a conservative approach should mean greater caution before minimizing impacts. It should not mean moving ahead with low-confidence conclusions while acknowledging major gaps in the evidence.

That concern is sharpened by the list of uncertainties the addendum itself identifies. It says there were inconsistencies in participation and data provided across communities, meaning the assessment did not capture the full range of perspectives, harvesting practices, or cultural uses of the land across all affected groups. It says there is uncertainty about future land-use patterns and broader regional development pressures, even though those future developments are central to understanding the real cumulative effects of opening this region to permanent road access. It acknowledges knowledge gaps about wildlife distribution and harvest pressure, including how harvested species may respond to new roads, sensory disturbance, and increased non-Indigenous access. It also acknowledges uncertainty about how both Indigenous and non-Indigenous land users will respond to new access routes, how travel and harvesting patterns may shift once a road is introduced, and how different families and harvesters may be affected differently depending on where and how they rely on the land.

The section goes further and acknowledges an incomplete understanding of the long-term implications for cultural continuity, including possible effects on language use, land-based education, youth engagement with the land, and the transmission of traditional knowledge. It also says the long operations phase creates further uncertainty because long-term changes within the LSA and RSA are difficult to predict and may affect whether mitigation remains effective over time. It adds that other future projects may also affect the same Indigenous values. Taken together, these are not small side notes. These are core uncertainties about the very conditions that support the meaningful exercise of rights.

That is why the statement that confidence for other LSA and RSA communities is low is so important. The record is effectively acknowledging that, for communities like FAFN, there are

major information gaps, limited community-specific data, incomplete understanding of long-term cultural effects, uncertainty about cumulative regional change, and uncertainty about how access will alter harvesting and land use. In those circumstances, the assessment should be more cautious about drawing settled conclusions. Instead, the same record still moves toward low or low-to-moderate conclusions in key areas.

For FAFN, that is the real concern. A low-confidence assessment, built on acknowledged gaps in participation, land-use data, wildlife response, cultural continuity, and future cumulative change, should not be treated as a reliable basis for minimizing impacts to rights and way of life. FAFN has been clear that it intended to undertake its own assessment of impacts to rights. That work was not completed before the process was rushed forward. In that context, the problem is not only uncertainty itself. The assessment nevertheless proceeds toward settled conclusions regarding rights impacts despite acknowledged low confidence, incomplete information, unresolved cumulative uncertainty, and the absence of completed Nation-specific assessment work.

2. The pathway from effects to conclusions remains unclear

The addendum now describes many pathways through which the Project may affect FAFN and other LSA and RSA communities. In Sections 6.1 to 6.4, it identifies effects on harvesting, access to lands and waters, traplines, cultural continuity, food security, community well-being, stewardship, and self-governance. It records concerns about habitat change, wildlife movement, contamination, altered water flow, reduced access to camps and harvesting areas, loss of connection to the land, increased outside presence, social pressures, and reduced intergenerational knowledge transmission. However, the addendum still does not clearly explain how those identified pathways of effect support the resulting low or low-to-moderate severity conclusions for FAFN and other RSA communities.

That remains a major gap. FAFN did not ask only for a list of pathways. FAFN asked the proponent to show the pathway from the evidence to the conclusion. The addendum still does not do that. Instead, it moves from detailed descriptions of adverse and in some cases long-term effects to low severity conclusions largely on the basis of distance from the road corridor, “current information available,” and proposed mitigation and enhancement measures. That is not the same as showing why the criteria for low severity are actually met.

This is especially difficult to reconcile with the addendum’s own definition of low severity, which describes impacts that are minor, short, infrequent, limited in extent, reversible or readily reduced, with minimal disruption to cultural well-being, few or no effects on health and country foods, few or no existing or proposed developments or historic impacts in the group’s territory, and mitigation that allows the practice of the right to continue in the same or similar manner as before. Yet Sections 6.1, 6.2, and 6.3 describe the opposite kinds of pressures for FAFN and other communities: cumulative pressures on harvesting, reduced access to lands and waters, effects on cultural continuity, concerns about contamination, changes to food security, social pressures from increased outside access, and long-term interference with the conditions needed to exercise rights. Those are not self-evidently minor, short, or readily reduced effects, especially in a region where there was previously no all-season road and where the Project is expected to change how the land is accessed and used.

The concern, which FAFN has raised repeatedly throughout this process, is that the addendum continues to assess the Project through the same narrow physical-footprint lens. The road is treated as a relatively confined corridor and, because FAFN and other RSA communities are farther away, the conclusion is that the effects on their rights are low, or low - moderate. From FAFN’s perspective, that framing is not sufficient and does not answer the concern that has been raised many times. The Project is not being introduced into an already roaded and stable

landscape. It is opening a previously roadless area and helping establish the conditions for broader industrial access, increased movement of people and goods, altered harvesting landscapes, and cumulative social, cultural, and ecological change. The addendum recognizes those kinds of changes, but it still does not explain why they are said to amount to only low severity for the rights categories that matter most to FAFN.

For that reason, FAFN's concern remains that the addendum shows parts of the pathway of effect, but not the full pathway to the conclusion. Where the assessment identifies changes to harvesting, access, cultural continuity, food security, social cohesion, and stewardship, it should explain clearly how those effects were weighed against the stated severity criteria and why they are still said to allow the meaningful exercise of rights to continue in the same or similar manner as before. That explanation is still missing.

3. FAFN's key concerns remain unresolved

Appendix A gives the appearance that FAFN's draft EAR/IS comments were addressed by directing FAFN to Sections 6 and 7 of Addendum 1 and to parts of the Final EAR/IS. However, for a number of FAFN's central concerns, the difficulty is not simply whether the topic now appears somewhere in the record. The difficulty is that the cited sections still do not provide the practical clarity, rationale, or analysis FAFN was seeking. In several important areas, the concern remains substantially unchanged.

On FPIC, Treaty 9, governance, and decision-making, Appendix A says the Project commits to UNDRIP and UNDA principles, including FPIC, but also says that the application and upholding of inherent rights, including FPIC, are responsibilities of the Crown. That framing does not resolve FAFN's concern. FAFN's concern has never been limited to whether consultation has occurred in a procedural sense. The deeper concern is whether the assessment and decision-making framework respects Treaty 9, section 35 of the Constitution Act, 1982, FAFN's inherent authority, and FAFN's right to participate meaningfully in decisions affecting its lands, waters, rights, and way of life in shared Treaty 9 homelands. The record still does not clearly explain how Treaty 9 will be respected in decisions affecting shared homelands, waters, travel routes, estuaries, and harvesting areas, or how FAFN's governance authority and stewardship responsibilities would be reflected in project oversight, monitoring, adaptive management, and decision-making if the Project proceeds.

Similar concerns arise regarding the EAR/IS' discussion of FPIC. The record still does not explain how free, prior, and informed consent would operate in practice: how consent would be sought before key decisions are made, how sufficient time and information would be provided to support informed decision-making, how withheld consent would be addressed, or how FAFN's position would shape outcomes. Consultation is referenced, but that is not the same as explaining how FAFN would participate in decisions that may fundamentally alter the conditions required to exercise rights in a meaningful way. In FAFN's view, this cannot be addressed simply by referring the matter onward to the Crown. The proponent also has a responsibility to ensure that the process, timing, information, and decision pathway are capable of supporting meaningful Indigenous decision-making. Where key Nation-led work has not been completed before the assessment moves forward, and where the process has been accelerated in a way that limits meaningful participation, FAFN's concern that this is not truly prior or informed remains.

On traplines, cultural sites, spiritual areas, and land-based teaching, Appendix A says the earlier redactions related to other Nations and that no site-specific information for FAFN had been provided at that time. It then points to Sections 6.1, 6.2, and Appendix B. That still does not answer FAFN's concern. FAFN's concern was not simply whether the Project Team had a

mapped site file in hand. FAFN asked for a clear rationale explaining how traplines, culturally important areas, spiritual use, land-based teaching, and related practices were assessed, what evidence was relied on, what uncertainties remained, and how the ratings were determined. Even with more FAFN information now discussed in the addendum, that rationale is still not set out in a transparent way.

On downstream and connected systems, Appendix A points FAFN to other sections, including cumulative effects and surface water discussion, as the response to FAFN's concerns about the Albany River system, connected watersheds, water flow, ice, travel safety, and the interaction of this road with other roads that do cross the watershed. That response redirects FAFN, but it does not provide the downstream and connected-systems analysis FAFN asked for. The record still does not explain what those connected changes mean for FAFN's harvesting, fishing, travel, cultural continuity, and stewardship responsibilities across linked lands and waters. The continuing reliance on distance, LSA/RSA boundaries, and fewer effect pathways does not answer FAFN's concern, because the risk FAFN raised is not confined to the immediate road footprint.

4. The cumulative effects assessment remains a major outstanding gap

FAFN has consistently raised cumulative effects as a central issue throughout this process because the Project cannot be understood in isolation. The concern is not only the footprint of the Webequie Supply Road on its own, but the combined effect of the WSR, the Northern Road Link, the Marten Falls Community Access Road, foreseeable mining development, transmission and service corridors, changing access, and the broader opening of a previously roadless region to year-round industrial activity. Section 7 itself records that Indigenous communities said the cumulative assessment was too narrow, incomplete, and inconsistent with federal guidance, and that the WSR could not reasonably be treated as a stand-alone project.

The cumulative section nevertheless remains too narrowly framed around the RSA boundary and the WSR footprint. Section 7.5 says cumulative effects may occur where the Project and other activities interact within the RSA and, "based on the Project Footprint for the WSR Project," the cumulative effects on rights are predicted for the identified rights categories. That framing does not address FAFN's concern. FAFN's concern has always been about the combined regional picture: how linked roads, connected waters, future mining access, downstream effects, travel routes, and broader land-use change work together across the territory. Appendix A records those concerns, including the Albany River system, connected watersheds, water flow, ice, travel safety, and the interaction of this road with other roads that cross the watershed, but the cumulative analysis continues to place greater weight on direct footprint overlap within the RSA than on connected-system risks, regional transformation, downstream effects, and broader changes to access and land use patterns.

Appendix B reinforces that concern rather than resolving it. It confirms that the Project's own net effects on current and historical use of lands and resources for traditional purposes and cultural continuity are already being carried forward as meaningful adverse effects, and it ultimately concludes that the net cumulative effects on those same values are significant. Table 1-6 characterizes those cumulative effects as negative, moderate, RSA-wide, continuous, low resilience, irreversible, and probable. At the same time, Appendix B also says the assessment has important information gaps and assigns a low level of confidence where community-specific data, participation, and culturally grounded indicators remain limited. For FAFN, that combination is significant: Appendix B shows that meaningful cumulative change is expected, but it does not provide a clear basis for minimizing the combined regional effect on rights.

The same problem appears in the cumulative ratings. Table 7-2 and Appendix B both describe cumulative pathways that reach across core rights categories, including harvesting, cultural

continuity, food security, social well-being, and self-governance. For example, the cumulative row for the Marten Falls Community Access Road Project identifies all four major rights categories as potentially affected and lists pathways including altered access to lands and resources, loss or alteration of traditional foods and harvesting areas, heightened substance abuse, reduced community safety, and effects on social, health, wellness, and governance-related rights. Yet the overall result remains only Moderate. Likewise, Appendix B assigns Low relative change to Black Thor, Blackbird, and Black Label even though it acknowledges spatial and temporal overlap, similar pathways of effect, potential effects on culturally and spiritually important areas, access to lands and resources, and indirect changes to cultural continuity, while also noting that no construction footprint information is available. The assessment does not show how those kinds of combined pressures were weighed to reach those lower cumulative ratings.

For those reasons, the cumulative-effects concern remains unresolved. The record now shows that meaningful cumulative change is expected and that the Project's own net effects on land and resource use and cultural continuity are already adverse and carried forward. What it still does not show is how those acknowledged combined pressures support the low or low-to-moderate cumulative conclusions assigned to many developments and communities, or how the cumulative assessment meaningfully captures the full effect of opening this region to permanent road-connected industrial development.

5. The mitigation framework leaves key rights impacts unresolved

Sections 6.5 and 6.6 are presented as the mitigation framework for Aboriginal and Treaty Rights more broadly, not just for Webequie First Nation. Section 6.5 says the mitigation and enhancement measures are expected to maintain the environmental and cultural conditions necessary for the meaningful and ongoing exercise of Aboriginal and Treaty Rights, and Table 6-5 then summarizes potential effects, mitigation measures, and predicted net impacts across all four rights categories. But when the section turns to the actual mitigation content, the concrete measures are largely those proposed by Webequie First Nation, and Section 6.6 expressly says the summary table is based on currently available information from Webequie First Nation and that the same mitigation measures proposed for traditional land use are considered applicable to Aboriginal and Treaty Rights more generally. That is a major gap in the record. The assessment uses this framework to support conclusions for other LSA and RSA communities as well, yet it does not clearly explain what mitigation measures respond to the concerns of FAFN and other affected Nations, what role those Nations would have in shaping, implementing, or overseeing those measures, or how the framework would address rights issues that go beyond Webequie's land-use perspective, including downstream effects, outside access, social change, stewardship responsibilities, governance authority, and long-term cultural disruption.

Section 6.5 relies heavily on broad assurances, cross-references, and future plans rather than clearly setting out which mitigation measures are fixed commitments, which remain proposed, who must implement them, when they apply, and how their effectiveness will be checked. The wording is also very soft: effects are said to be "expected" to be reduced, "anticipated" to maintain conditions, or "assumed" to be mitigated to a degree. Cultural continuity mitigation is especially assumption-based, with protections for travel routes, harvesting areas, culturally sensitive areas, and cultural heritage landscapes described in general terms such as avoidance, design refinements, setbacks, no-go zones, monitors, and timing restrictions, but without showing how those tools would apply for other Nations or how indirect effects outside narrow site boundaries would be handled. And Table 6-5 itself does not show that mitigation resolves the rights issue. It still records "Yes (net adverse impact)" for current and historical use of lands and resources, cultural continuity, socio-economic, health and well-being, and self-

determination and self-governance. Even after listing mitigation, net adverse impacts remain across all four categories. Yet the sections do not explain what those remaining adverse impacts mean for affected Nations like FAFN, which ones require accommodation, what monitoring thresholds or adaptive responses would apply if harms worsen, or why the broader assessment still tends toward low overall conclusions for many non-Webequie communities. The footnote to Table 6-5 reinforces the same problem: it says additional mitigation from many other parts of the Final EAR/IS is also applicable, and that predicted impacts are characterized based on the Project's current understanding and its interpretation of community input and studies. In other words, the framework remains diffuse, interpretation-based, and not clearly settled as a rights-protection regime for all affected Nations.

8. APPENDIX C: FAFN TARGETED RIGHTS IMPACT ASSESSMENT



Rights Impact Assessment of the Webequie Supply Road Project

May 15, 2026

1. Introduction

This report presents Fort Albany First Nation's (FAFN) Rights Impact Assessment (RIA) of the Webequie Supply Road Project (WSR; the Project), a proposed all-season road in northern Ontario. The road is intended to connect the Webequie First Nation community to the provincial highway network and to support access to the Ring of Fire region. The Project would introduce permanent road infrastructure into a largely intact and hydrologically sensitive landscape, with potential implications for lands, waters, wildlife, and land use.

The purpose of this assessment is to evaluate how the Project may affect the exercise of FAFN's Treaty and Indigenous rights. The RIA focuses on key areas of rights identified by FAFN, including harvesting, cultural continuity, and governance, and considers how the conditions required to meaningfully exercise these rights may be affected by the Project.

This RIA has been prepared on an expedited basis to support FAFN's review of the Project. As a result, it is a targeted assessment and has several limitations. In particular, it is based primarily on a review of the Environmental Assessment Report (EAR) and related materials, and has been prepared with limited opportunity for dedicated community engagement and validation. A comprehensive, community-led RIA was not possible within the available timeframe.

Given these limitations, this assessment should be understood as identifying key areas of potential impact and risk to the exercise of FAFN's rights, rather than providing a complete or definitive assessment. Where information is limited or uncertain, the potential for impacts on rights may be underestimated.

The report is structured as follows:

- Section 2 describes FAFN's Treaty and Indigenous rights;
- Section 3 outlines the approach to the assessment;
- Section 4 presents the assessment of potential impacts on FAFN's rights;
- Section 5 evaluates mitigation measures;
- Section 6 considers the severity of potential impacts; and
- Section 7 provides conclusions.

2. Fort Albany First Nation's Treaty and Indigenous Rights

Fort Albany First Nation (FAFN) is a signatory to Treaty No. 9 (1905–06), also known as the James Bay Treaty, entered into between the Crown and Indigenous Nations across northern Ontario, including Omushkegowuk/Cree Nations such as FAFN.

Treaty 9 was negotiated in a remote region where many Indigenous signatories spoke little or no English and relied on oral discussions and translation. Historical records and Indigenous

accounts indicate that oral assurances provided by Crown representatives were central to the agreement, including commitments that First Nations would be able to continue their traditional way of life, particularly hunting, fishing, and trapping, throughout their territories (Government of Canada, 1905–1906). These assurances are widely understood by Treaty 9 First Nations, including FAFN, as affirming that the Treaty was not intended to extinguish their relationship to the land or alter their systems of governance, land use, and cultural practice, but rather to enable the sharing of land while maintaining Omushkegowuk/Cree laws and ways of life. Scholarship has also identified discrepancies between the written terms of Treaty 9 and the oral representations made to First Nations, as well as the broader colonial context in which the Treaty was negotiated (Morrison, 1986).

From FAFN's perspective, Treaty 9 affirms their inherent rights and responsibilities as Omushkegowuk/Cree people. These rights are constitutionally protected under section 35 of the *Constitution Act, 1982*, which recognizes and affirms existing Aboriginal and Treaty rights. FAFN holds both Treaty rights and inherent Indigenous rights grounded in its own legal orders, governance systems, and longstanding relationships to its territory, including the rights to hunt, fish, and trap; gather plants and medicines; travel across lands and waters; occupy and use lands for cultural, spiritual, and subsistence purposes; maintain and transmit cultural knowledge, language, and practices; and govern and steward lands and resources in accordance with Omushkegowuk/Cree laws and responsibilities. These rights are interdependent and must be understood as a holistic system rather than discrete entitlements.

FAFN people exercise their rights through an integrated, land-based system connecting people, place, and knowledge across the territory (FAFN, 2024). This system operates across interconnected land and water systems, where rivers such as the Albany, Attawapiskat, and Ekwan function as travel corridors and sustain key species, and muskeg systems regulate water flow and support habitat. The exercise of rights is structured through the Omushkegowuk/Cree six-season cycle, which governs harvesting, travel, and cultural practices based on detailed ecological knowledge and functions as a system of natural law guiding sustainable use and knowledge transmission. Land use and stewardship are organized through family- and clan-based governance systems that define responsibility, access, and care, reinforcing relationships across generations. Within this system, harvesting activities are central to subsistence, cultural identity, and social cohesion, supporting food security, livelihoods, and learning on the land. The meaningful exercise of these rights depends on interrelated conditions, including access to lands and waters, healthy ecosystems, the presence of species, predictable environmental conditions, the ability to travel and occupy lands, and opportunities for intergenerational knowledge transmission (FAFN, 2024).

FAFN members have observed significant and ongoing changes affecting these conditions, including altered water flows associated with upstream development, shifts in wildlife distribution and migration patterns, reduced access to preferred harvesting areas, contamination concerns affecting confidence in country foods, and long-term impacts of colonial policies on land use and knowledge transmission (FAFN, 2024). These factors collectively represent an already impacted baseline. Any additional project-related effects must therefore be understood in the context of these existing pressures, which have already constrained the meaningful exercise of FAFN rights.

3. Approach to the Assessment

This section outlines the methodology used to assess potential impacts of the Project on FAFN's Treaty and Indigenous rights. The assessment applies a rights-based and community-grounded approach, drawing on FAFN knowledge and available information to evaluate how the Project may affect the conditions required for the meaningful exercise of those rights.

3.1. Guiding Approach

This assessment is guided by the following core principles:

- **Rights-centred:** The assessment focuses on FAFN's rights as the primary unit of analysis, rather than biophysical or socio-economic components in isolation.
- **Grounded in FAFN knowledge and perspectives:** The assessment draws on available Indigenous knowledge, land use information, and documented community perspectives.
- **Conditions-based:** The assessment evaluates how the Project may affect the environmental, cultural, and social conditions required to exercise rights.
- **Cumulative context:** Project impacts are considered in the context of existing and ongoing pressures on FAFN's lands, waters, and way of life.
- **Holistic:** Rights are understood as interconnected; impacts to one area (e.g., water) may affect multiple rights simultaneously.
- **Precautionary:** Where there is uncertainty, it is treated as risk, particularly where impacts may be widespread, long-term, or irreversible.

3.2. Rights Considered in the Assessment

This assessment focuses on three core areas of FAFN rights:

- **Harvesting**
- **Cultural continuity**
- **Governance**

These areas were selected based on available information regarding FAFN land use, knowledge, and concerns, and represent key dimensions of FAFN's rights and way of life. They are interdependent and overlapping; for example, harvesting supports cultural continuity, while governance underpins stewardship and decision-making across all areas.

3.3. Assessment Approach

This assessment applies a rights-based methodology to evaluate how Project activities may affect the ability of FAFN to meaningfully exercise its Treaty and inherent Indigenous rights. The approach is grounded in standard impact assessment practice, while centring FAFN perspectives and adapting methods to reflect the scope of this targeted assessment.

The assessment proceeds through four core steps:

- 1. Describe conditions supporting the exercise of rights.** The assessment describes the environmental, social, cultural, and governance conditions required for the meaningful exercise of FAFN's rights. These conditions are considered within the context of existing and cumulative pressures, including changes in water systems, wildlife patterns, access, contamination concerns, and the long-standing effects of colonial policies. The assessment therefore begins from an already impacted baseline.
- 2. Assess potential effects on conditions.** The assessment evaluates how Project activities may affect the conditions supporting the exercise of rights, including direct, indirect, and cumulative pathways. This includes consideration of how the Project may alter ecological systems, access to lands and waters, and the broader context within which rights are exercised.
- 3. Evaluate mitigation measures.** The assessment considers the proponent's proposed mitigation measures and evaluates their anticipated effectiveness in avoiding, reducing, or offsetting impacts on the exercise of rights. This includes consideration of the extent to which the measures respond to FAFN concerns and meaningfully support the continued exercise of rights.
- 4. Determine overall severity of impacts on rights.** The assessment determines overall impact severity based on the magnitude of change to the conditions supporting the exercise of rights, the extent of effects across connected systems, and the duration and reversibility of those effects. It also considers how impacts interact across rights and the Project's contribution to cumulative pressures, including increased access and potential induced development. Severity reflects the degree to which Project-related changes constrain or disrupt the meaningful exercise of rights over time.

3.4. Severity Determination Framework

Severity is determined by considering the nature and extent of residual effects following the application of mitigation measures.

The assessment applies the following criteria:

- **Magnitude** – the degree of change to the condition, including the extent to which it reduces or alters the ability to exercise the right
- **Extent** – the geographic scale of the effect, including whether it is localized or extends across the territory
- **Duration** – the length of time over which the effect persists, including whether it is temporary or long-term
- **Reversibility** – the degree to which the condition can be restored within a meaningful timeframe

In addition, the assessment considers:

- **Cumulative effects**, including the interaction of project-related effects with existing pressures; and
- **Induced development**, including the extent to which the Project enables or contributes to additional future development and associated impacts.

Severity is assessed qualitatively, based on the integration of these criteria, rather than through a numeric scoring system.

3.5. Information Sources

This assessment draws on the following sources of information:

- FAFN Indigenous knowledge and land use information (IKUS; FAFN, 2024);
- Proponent materials, including the EAR and supporting documents;
- Government review materials; and
- Relevant secondary literature and publicly available information.

This assessment does not include new primary data collection and is based on the synthesis and interpretation of available information.

3.6. Scope and Limitations

This assessment has been prepared under constrained timelines and is intended to provide a focused evaluation of key pathways through which the Project may impact FAFN rights.

It is not a comprehensive rights impact assessment and does not include extensive community engagement or primary data collection. As such, it should be understood as a preliminary assessment identifying key risks and areas of concern based on available information.

4. Assessment of Potential Impacts on Fort Albany First Nation's Rights

4.1. Harvesting

This section assesses potential impacts of the Project on FAFN's harvesting rights, including hunting, fishing, and the gathering of plants and medicines. Harvesting is understood as a land-based practice that depends on the health of ecosystems, access to lands and waters, and the transmission of knowledge across generations.

The assessment first describes the conditions required to support the meaningful exercise of harvesting rights, including existing pressures on those conditions. It then evaluates how Project activities may affect these conditions through key impact pathways.

4.1.1. Conditions Required for the Meaningful Exercise of Harvesting Rights

The meaningful exercise of harvesting rights by FAFN depends on a range of interrelated environmental, access-related, and cultural conditions. These conditions reflect a land-based system in which harvesting is inseparable from ecological integrity, mobility across the territory, and the transmission of knowledge and practices across generations (FAFN, 2024).

For the purposes of this assessment, these conditions are presented in an aggregated form to reflect how harvesting systems function in practice and to support a clear and consistent evaluation of project impacts.

Key conditions required to support the meaningful exercise of harvesting rights include:

- **Access to harvesting areas**, including the ability to travel across the territory using river systems, overland routes, and winter roads, and to do so safely and reliably over long distances (FAFN, 2024);
- **Availability and distribution of harvestable species**, including fish, wildlife, birds, and plants, which depend on functioning ecosystems that support habitat, migration, and seasonal availability. The Albany River and surrounding muskeg landscape form an interconnected system that sustains these species (FAFN, 2024);
- **Reliability of harvesting practices**, including the predictability of environmental conditions, travel routes, seasonal cycles, and harvesting outcomes, which enable consistent and effective harvesting over time;
- **Confidence in harvested resources**, including the perceived safety and suitability of country foods and the willingness of FAFN members to rely on these resources.

These conditions are already affected by multiple, interacting pressures.

Hydrological and climatic changes are a central driver. Earlier spring break-up, later freeze-up, shorter ice seasons, and increased weather variability (McDonald et al., 1997; Ford et al., 2006) alter river flow, ice stability, and water levels. FAFN members have observed these changes affecting travel safety and seasonal harvesting patterns (FAFN, 2024). These changes reduce the safety and reliability of travel routes, constrain access to harvesting areas, and disrupt the timing of harvesting activities.

These effects are compounded by longstanding hydrological alterations associated with water diversions and hydroelectric development. Large-scale diversions have redirected significant water flows out of the Albany River watershed (Day et al., 1982; Gardner et al., 2015), contributing to altered flow regimes and water levels. Hydroelectric development more broadly is associated with habitat alteration, flooding, changes to sediment and flow patterns, and mercury contamination (Rosenberg et al., 1995; Rosenberg et al., 1997), affecting fish and wildlife populations relied upon for harvesting.

Climate and hydrological changes also influence species distribution, migration timing, and abundance. Observed shifts in the presence and timing of fish and waterfowl can lead to missed harvesting opportunities (Ford et al., 2006), consistent with observations from FAFN knowledge holders (FAFN, 2024).

Environmental contamination introduces an additional pathway. The presence of persistent contaminants in wildlife (Tsuji et al., 2005) affects confidence in country foods and may alter harvesting behaviour, even where species remain available. FAFN members have expressed concerns regarding environmental change and its implications for the safety and reliability of traditional foods (FAFN, 2024).

Access constraints further affect harvesting through both environmental and economic pathways. Variability in ice and water conditions reduces the reliability of travel routes, while high costs for fuel and equipment limit the ability to reach distant harvesting areas (Ford et al., 2006; Skinner et al., 2013). These constraints are reflected in FAFN members' experiences of reduced access to preferred harvesting locations (FAFN, 2024).

These environmental and access-related pressures occur alongside long-term socio-economic changes. Cree land use has shifted from extensive seasonal movement across the territory toward more localized and time-constrained harvesting (Feit, 2004). In FAFN, this includes changes in how often and how far members are able to travel on the land, as well as reduced opportunities for knowledge transmission in some contexts (FAFN, 2024). Increased reliance on wage employment and store-bought foods, combined with barriers to land access, has contributed to reduced participation in harvesting, particularly among younger generations (Skinner et al., 2013; FAFN, 2024).

Taken together, these pressures reflect interacting and cumulative drivers:

- Climate change: altered ice regimes, hydrology, and species behaviour
- Hydrological modification: long-term changes to flow, water levels, and aquatic ecosystems
- Environmental contamination: impacts on food systems and confidence in harvesting
- Access constraints: increased cost, risk, and difficulty of travel
- Socio-economic transformation: reduced continuity of land-based practices

These factors have contributed to a progressive erosion of the conditions required to sustain harvesting rights. FAFN members have identified these cumulative changes as affecting their ability to maintain harvesting practices and pass knowledge to future generations (FAFN, 2024). As a result, harvesting systems are more sensitive to additional disturbance, and project-related effects must be understood in the context of this already altered and dynamic baseline.

4.1.2. Project Impacts on Harvesting Rights

Project-related impacts on harvesting rights arise through pathways that affect the ecological conditions, access, and reliability of land-based use. These pathways operate across interconnected hydrological and ecological systems and are shaped by both project-specific effects and broader patterns of access and land use.

The interpretation of these impacts requires consideration of existing patterns of land use and their limitations. The IKUS (FAFN, 2024) does not identify extensive current harvesting or cultural use within the immediate vicinity of the Project. This reflects, in part:

- Broad historical and ongoing factors that have influenced patterns of land use, including changes in access, environmental conditions, and socio-economic pressures described in Section 4.1.1;
- Current logistical and monitory constraints for accessing the Project area from the community; and
- Limitations in available data, including participation in the IKUS.

As a result, impacts are not assessed solely based on documented current use, but on how the Project may affect the conditions that support the meaningful exercise of harvesting rights over time.

Hydrological Alteration

The Project is expected to alter surface water and wetland function through peatland disturbance, drainage, and watercourse crossings, including altered flow patterns, reduced connectivity, and changes in water levels (AtkinsRéal, 2025, Sections 6.4, 6.5).

Given the Project's location within extensive peatland systems, these effects are not confined to discrete crossings but may propagate through interconnected wetland and river systems. Peatland disturbance can lead to long-term changes in water storage and release, affecting downstream hydrology over extended periods. Because peatlands recover slowly, these effects are likely to persist over long timeframes and may not be fully reversible.

For harvesting, these changes directly affect the availability and distribution of fish and other aquatic species, as well as the reliability of travel routes used to access harvesting areas. Altered flow regimes, water levels, and ice conditions reduce the predictability of both resource availability and access, increasing uncertainty and effort associated with harvesting.

In practice, this may result in reduced use of affected areas, increased travel time to alternative locations, or avoidance of areas where conditions are less predictable. Given the connectivity of hydrological systems, these effects may extend beyond the project footprint, affecting harvesting conditions across a broader portion of the territory.

Habitat Disturbance and Fragmentation

The Project will result in approximately 546.57 ha of direct vegetation loss and an additional 464.9 ha of indirect effects on vegetation and wetlands (AtkinsRéal, 2025, Sections 6.3, 6.5). While these effects are characterized as limited relative to the study area, the EAR also acknowledges fragmentation and indirect effects extending beyond the cleared footprint. For harvesting, these changes affect the abundance, distribution, and accessibility of wildlife and plant species. Fragmentation can disrupt movement corridors and alter habitat use, leading to shifts in where species are found and how they are accessed by harvesters.

In practice, harvesters may experience reduced success in previously reliable areas, requiring additional time and effort to locate species or shifting to less preferred areas. These changes affect the reliability of harvesting practices, even where species remain present.

Because the road corridor is permanent, these effects are expected to persist over the long term. While ecological recovery may occur in some areas, the fragmentation effects and associated changes in species behaviour are only partially reversible.

Access, Harvesting Pressure, and Induced Development

The Project introduces permanent all-season access into a previously remote region, altering patterns of movement for people, wildlife, and future development (AtkinsRéalis, 2025, Sections 6.6, 7).

In the near term, increased access is expected to increase human activity, disturbance, and recreational harvesting pressure. These changes may reduce wildlife availability in areas accessible from the road, affecting the availability of harvestable species and increasing competition for resources.

More significantly, the Project establishes conditions for future development. The proponent's cumulative effects assessment recognizes that the Project may facilitate additional industrial activity in the region. This introduces a pathway through which impacts extend beyond the Project itself, contributing to broader landscape change and sustained pressure on species and habitats.

For harvesting, these changes affect both the availability of resources and the ability to access preferred harvesting areas over time. Increased access may also lead to avoidance of areas previously relied upon for harvesting due to disturbance or competition, further reducing the effective land base available for harvesting.

Because access changes are permanent and difficult to reverse, these effects are expected to be long-term and effectively irreversible. The Project's role in enabling future development increases the magnitude and extent of these impacts.

Contamination and Food System Confidence

Construction and operation introduce contamination pathways through fuel handling, aggregate extraction, road runoff, and accidental spills, with potential effects on surface water, sediment, and groundwater quality (AtkinsRéalis, 2025, Sections 6.4, 6.5).

Impacts on harvesting occur not only through ecological effects, but through reduced confidence in country foods. Where fish, wildlife, or plants are perceived to be unsafe, harvesters may avoid them, even where they remain available.

This directly affects the confidence in harvested resources, which is a key condition supporting the meaningful exercise of harvesting rights. In practice, this may result in a functional loss of harvesting areas, as areas are no longer used due to perceived risk.

These effects may persist beyond the duration of environmental disturbance, as confidence in food systems can take longer to recover. As a result, the duration of impact on harvesting may exceed the duration of the underlying environmental effects.

Summary of Impacts on Harvesting

Across these pathways, the Project is expected to affect the conditions required for the meaningful exercise of harvesting rights, including:

- **Access to harvesting areas**, through changes in travel conditions, disturbance, and avoidance;
- **Availability and distribution of harvestable species**, through habitat alteration, fragmentation, and increased pressure;
- **Reliability of harvesting practices**, through increased variability in environmental conditions and reduced predictability of outcomes; and
- **Confidence in harvested resources**, through contamination pathways and perceived risks.

These effects are interconnected and operate across spatial and temporal scales. Importantly, they occur within an already affected context, as described in Section 4.1.1, where existing pressures have already influenced access, species availability, and harvesting practices. Project-related impacts are therefore expected to compound these pressures, contributing to increased effort required to harvest, reduced predictability of success, and constraints on both current and future use of the territory.

4.2. Cultural Continuity

This section assesses potential impacts of the Project on FAFN's cultural continuity, including the maintenance and transmission of knowledge, language, practices, and relationships to land and water. Cultural continuity is understood as inseparable from land-based activities and the conditions that support them, including access to culturally significant places and the ability to engage in practices across generations.

The assessment first describes the conditions required to support cultural continuity, including existing pressures on those conditions. It then evaluates how Project activities may affect these conditions through key impact pathways.

4.2.1. Conditions Required to Support Cultural Continuity

The ability to maintain cultural continuity by FAFN depends on the ability to maintain, practice, and transmit knowledge, values, and relationships that are grounded in the land and water. Cultural continuity is inseparable from land-based activities and requires ongoing engagement with the territory through harvesting, travel, teaching, and time spent on the land (FAFN, 2024). Key conditions required to support cultural continuity include:

- **Access to culturally significant places and landscapes**, including camps, travel routes, teaching areas, and locations associated with stories, memory, and identity (FAFN, 2024);

- **Opportunities for land-based cultural practice**, including harvesting, travel, teaching, and time spent on the land through which cultural knowledge, values, and relationships are maintained (FAFN, 2024); and
- **Continuity of relationships to place**, including repeated use and experience of specific landscapes and waters that support identity, belonging, and connection to ancestors and future generations, and through which knowledge, values, and practices are maintained and transmitted over time (FAFN, 2024).

The conditions supporting cultural continuity are already affected by multiple, interacting pressures, as described in Section 4.1.1. Environmental change, altered hydrology, and shifting species distributions affect access to lands and waters and reduce the safety and reliability of travel. These changes limit time spent on the land and constrain participation in land-based activities, which are central to cultural practice and engagement (FAFN, 2024; Ford et al., 2006).

Access constraints, including increased costs and reduced reliability of travel, further reduce the frequency and duration of time spent on the land, particularly for younger generations (Skinner et al., 2013; FAFN, 2024). Reduced time on the land directly limits opportunities for shared experience and intergenerational knowledge transmission.

Long-term socio-economic changes, including shifts toward wage-based employment and more localized patterns of land use, have further reduced sustained engagement with the territory. Combined with the legacy of colonial policies, these changes have contributed to disruptions in cultural practice and the continuity of knowledge over time (Feit, 2004; FAFN, 2024).

Overall, these pressures have contributed to reduced opportunities to practice and transmit cultural knowledge, weakening connections to land and affecting the continuity of cultural practices across generations. As a result, cultural continuity is increasingly sensitive to additional disturbance, particularly where changes further reduce time on the land or disrupt relationships with key places, species, and practices.

4.2.2. Project Impacts on Cultural Continuity

Project-related impacts on cultural continuity arise through changes in patterns of land use, shared experience, and the character and meaning of landscapes within FAFN territory. Cultural continuity depends on sustained and repeated engagement with the land and water over time, through which relationships to place are maintained and knowledge, values, and practices are transmitted across generations.

As noted in Section 4.1.2, the IKUS does not identify extensive current harvesting or cultural use within the immediate vicinity of the Project. This reflects, in part, the distance of the Project area from the community, limitations in available data, and broader historical and ongoing factors that have influenced patterns of land use. The absence of documented use should not be interpreted as an absence of importance or potential impact. Cultural continuity depends on the ability to access, use, and maintain relationships with lands and waters over time, including areas that may be used intermittently or in the future.

The pathways below describe how Project-related changes may affect the conditions required to support cultural continuity, including access to culturally significant places, opportunities for land-based cultural practice, and the continuity of relationships to place over time.

Disruption of Continuity of Land Use and Presence on the Land

The Project is expected to affect the continuity of land use by altering access patterns, travel conditions, and the reliability of land-based activities. The IKUS identifies that FAFN members rely on interconnected river systems, winter roads, and overland routes to access harvesting and cultural areas, often under seasonally constrained conditions (FAFN, 2024).

As described in Section 4.1.2, Project-related changes to hydrology, ice regimes, and habitat conditions are expected to affect the safety and predictability of travel. In a landscape where access depends on stable ice conditions and predictable water levels, these changes may result in delayed travel, shortened trips, or avoidance of certain routes.

While current use of the Project area may be limited or intermittent, these changes are expected to further constrain the opportunities for land-based cultural practice and the ability to maintain consistent patterns of use over time. In practice, reduced frequency and duration of time spent on the land limits the repeated engagement required to sustain relationships to place.

These changes therefore affect both opportunities for land-based cultural practice and the continuity of relationships to place, particularly where they limit the ability to maintain or re-establish use of specific areas over time.

Loss or Alteration of Culturally Meaningful Places and Landscapes

Cultural meaning within FAFN territory is embedded in broader landscapes, travel corridors, and areas of repeated or potential use, rather than in isolated sites. The IKUS indicates that relationships to place are maintained through familiarity, experience, and shared use over time (FAFN, 2024).

The Project introduces permanent infrastructure, including the road corridor and associated development, into a relatively remote landscape. While the direct footprint is limited, the EAR/IS acknowledges indirect effects, including fragmentation, disturbance, and changes in land use patterns (AtkinsRéal, 2025, Sections 6.3, 6.5).

These changes are expected to alter the character and use of affected areas. Increased noise, visual disturbance, and human presence may reduce the suitability of these areas for cultural activities such as travel, teaching, and time spent on the land. Even where access remains physically possible, areas may be used less frequently, used differently, or avoided altogether. In this context, impacts extend beyond currently used areas to include places that support ongoing or potential cultural relationships. These changes affect access to culturally significant places and may constrain the ability to maintain or re-establish connections to these areas over time.

Because cultural meaning is reinforced through repeated use, reduced or displaced use weakens the continuity of relationships to place, even where direct disturbance is limited.

Reduction in Shared, Intergenerational Land-Based Experience

Cultural continuity depends on shared, intergenerational experience on the land, through which knowledge, values, and practices are maintained and transmitted. The IKUS emphasizes that knowledge is learned through participation, observation, and time spent on the land with Elders and experienced harvesters (FAFN, 2024).

Project-related impacts on access, travel conditions, and harvesting (Section 4.1.2) are expected to reduce opportunities for these shared experiences. Where land-based activities become more difficult, less predictable, or more time-constrained, the frequency and duration of trips may decline.

Even where use of the Project area is currently limited, the Project may further reduce opportunities to expand or re-establish land-based use in these areas. This limits opportunities for younger generations to learn through direct engagement with the land.

In practice, reduced time on the land may result in fewer opportunities for intergenerational teaching, observation of seasonal patterns, and the development of place-based knowledge. These changes affect opportunities for land-based cultural practice and contribute to weakening the continuity of relationships to place over time.

Transformation of Landscape Character and Meaning

The Project introduces permanent access and infrastructure into a region that has historically functioned as a relatively remote and intact cultural landscape. As described in Section 4.1.2, the Project is expected to increase access, human activity, and the potential for induced development over time (AtkinsRéalais, 2025, Sections 6.6, 7).

For FAFN, relationships to place are shaped through ongoing use, experience, and connection to the land. The introduction of a road corridor and associated activity changes how the land is experienced, including increased noise, visibility of infrastructure, and the presence of non-local users.

Even in areas that are not currently heavily used, these changes may alter the perceived character and meaning of the landscape, reducing its suitability for cultural use and engagement. Increased access may reduce the sense of remoteness that supports certain cultural practices and experiences.

These changes affect the quality and continuity of relationships to place, particularly where they discourage future use or limit the ability to maintain or re-establish connections over time. Because these changes are long-term and difficult to reverse, their effects on cultural continuity are expected to persist.

Summary of Impacts on Cultural Continuity

Across these pathways, the Project is expected to affect the conditions required to support cultural continuity, including:

- **Access to culturally significant places and landscapes**, through changes in access, disturbance, and avoidance;

- **Opportunities for land-based cultural practice**, through reduced time on the land and constraints on participation in land-based activities; and
- **Continuity of relationships to place**, through reduced use, displacement from culturally meaningful areas, and long-term changes in landscape character.

These effects are interconnected and operate over time. Importantly, they occur within an already constrained context, as described in Section 4.1.1, where existing pressures have already reduced time on the land and affected patterns of cultural engagement.

Project-related impacts are therefore expected to compound these pressures by further limiting opportunities for both current and future use of the territory. As a result, the Project is expected to contribute to a continued weakening of the conditions that support cultural continuity, including the ability of FAFN members to maintain and renew relationships to place across generations.

4.3. Governance

This section assesses potential impacts of the Project on FAFN's governance and stewardship responsibilities, including the ability to exercise decision-making authority, uphold legal and stewardship obligations, and participate meaningfully in decisions affecting lands and waters. FAFN governance is grounded in relationships to territory and responsibilities to care for land, water, and future generations. These responsibilities are exercised through stewardship practices, land-based knowledge systems, and governance processes that guide how lands and resources are used and managed.

The assessment first describes the conditions required to support the meaningful exercise of governance and stewardship responsibilities, including existing pressures on those conditions. It then evaluates how Project activities may affect these conditions through key impact pathways.

4.3.1. Conditions Required to Support Governance

The ability of FAFN to exercise governance and stewardship responsibilities depends on the capacity to make, implement, and uphold decisions regarding the use, protection, and management of lands and waters within its territory. Governance is grounded in relationships to land and water and reflects responsibilities to care for these systems for present and future generations.

Key conditions required to support the meaningful exercise of governance and stewardship include:

- **Ability to exercise authority over lands and resources**, including the ability to guide, influence, or determine how lands and waters are used and developed, consistent with FAFN laws, values, and priorities;
- **Capacity to fulfill stewardship responsibilities**, including the ability to protect ecological systems, maintain relationships with key species and landscapes, and respond to environmental change through land-based knowledge and practices;

- **Access to information and the ability to monitor and understand changes to the territory**, including knowledge of environmental conditions, cumulative effects, and emerging pressures affecting lands and resources; and
- **Ability to participate meaningfully in decisions affecting the territory**, including processes related to project planning, assessment, approval, and ongoing management, in ways that reflect FAFN priorities and support informed decision-making.

These conditions are interdependent. The ability to exercise authority depends on access to information and meaningful participation in decision-making processes. Stewardship responsibilities require both knowledge of environmental conditions and the ability to influence or control activities that affect the land. Limitations in any of these areas can constrain the overall effectiveness of governance.

These conditions are already affected by broader structural and historical factors. As described in Section 4.1.1, existing pressures, including environmental change, access constraints, and socio-economic shifts, have affected FAFN's ability to maintain land-based knowledge and stewardship practices over time. In addition, governance is shaped by regulatory frameworks that often limit the extent to which FAFN can exercise decision-making authority over lands and resources within its territory.

In this context, governance is not exercised in isolation but within a broader system in which authority is shared, constrained, or overridden by external decision-making processes. As a result, the meaningful exercise of governance and stewardship depends not only on FAFN's internal capacity and knowledge systems, but also on the extent to which external processes recognize and support FAFN's authority and responsibilities.

These existing constraints increase the sensitivity of governance to additional pressures. Where projects proceed in ways that limit FAFN's ability to influence outcomes, respond to change, or uphold stewardship responsibilities, the effectiveness of governance may be further reduced.

4.3.2. Project Impacts on Governance

Project-related impacts on governance and stewardship arise through changes in the ability of FAFN to exercise authority over lands and resources, fulfill stewardship responsibilities, access and interpret information about the territory, and influence decisions affecting its use over time.

As noted in Section 4.1.2, the absence of documented current use within the immediate Project area does not indicate an absence of importance or potential impact. Governance applies across the entirety of FAFN territory, including areas that may be used intermittently or may become more important in the future. Impacts are therefore assessed in terms of how the Project may affect the conditions required to support the meaningful exercise of governance and stewardship responsibilities.

The pathways below describe how these conditions may be affected.

Constraints on the Exercise of Authority over Lands and Resources

The Project is being advanced through regulatory processes in which decision-making authority ultimately rests with the Crown. While FAFN is formally included as a participant in these

processes, the structure and implementation of the assessment process have materially constrained the Nation's ability to influence outcomes or exercise authority over its lands and resources.

As documented in correspondence from FAFN and its legal counsel, these constraints are not limited to the formal allocation of decision-making authority. They arise from a series of process-related deficiencies that collectively limit FAFN's ability to meaningfully participate in, shape, and rely on the assessment process.

A central concern is the fragmentation of the Project into multiple separate assessments (WSR, Marten Falls Community Access Road, and Northern Road Link), despite their clear functional interdependence as a single regional access system intended to facilitate development in the Ring of Fire. This approach has imposed a significant burden on FAFN by requiring parallel engagement across multiple processes, while preventing a coherent assessment of cumulative effects and broader land use change. As noted by FAFN, this fragmentation "undermine[s] the consistency, coherence, accessibility, and usefulness of the assessment processes for consultation and regulatory purposes" (FAFN 2026). In practice, this limits the Nation's ability to assess and respond to the full scope of potential impacts and to exercise authority over how its territory is managed.

These constraints are compounded by the expedited timelines imposed on the assessment process. FAFN has repeatedly raised concerns that the timelines for review of the Final EAR are insufficient given the scale, complexity, and long-term implications of the Project. The Final EAR exceeds 10,000 pages, yet First Nations were given a matter of weeks to review it, often concurrently with other major assessments. As a result, FAFN has been unable to fully review the material or engage its membership. This has directly affected the Nation's ability to understand potential impacts and to make informed decisions regarding the Project.

The expedited process has also foreclosed the opportunity for community-led assessment, which FAFN had planned as a central component of its exercise of jurisdiction and decision-making authority. As noted in the FAFN's (2026) letter, the timelines have made it "highly unlikely that Fort Albany First Nation will have a full understanding of the projects to be able to make free, prior, and informed consent-based decisions." This has direct implications for the ability to exercise authority in accordance with FAFN governance systems, including the application of Indigenous knowledge, community deliberation, and consent-based decision-making.

Overall, these process issues materially constrain FAFN's ability to exercise authority over lands and resources. The Nation's role is effectively limited to reacting to a process that is externally structured, time-constrained, and based on incomplete information, rather than actively shaping decisions in accordance with its governance systems and responsibilities.

These limitations are particularly significant given the long-term and largely irreversible nature of Project-related changes. The construction of the road will establish enduring patterns of access, land use, and development pressure that extend beyond the Project footprint. Where FAFN is unable to meaningfully influence the conditions under which the Project proceeds, its ability to guide land use and protect the integrity of its territory is correspondingly reduced.

As a result, the Project is expected to proceed in a manner that constrains FAFN's authority and limits its ability to exercise governance over its lands and resources in accordance with its laws, values, and responsibilities.

Limitations on the Ability to Fulfill Stewardship Responsibilities

FAFN's stewardship responsibilities include protecting ecological systems, maintaining relationships with species and landscapes, and responding to environmental change.

As described in Section 4.1.2, the Project is expected to introduce changes to hydrology, habitat, access, and patterns of land use, including increased disturbance and the potential for induced development. These changes affect the condition of the land and introduce new and ongoing pressures.

In practice, this constrains the capacity to fulfill stewardship responsibilities. While FAFN may identify risks and propose mitigation measures, it may not have the authority or capacity to ensure that activities affecting the land align with its stewardship objectives.

This creates a disconnect between responsibility and control. FAFN retains responsibility for stewardship but has limited ability to manage the activities that drive environmental change. Over time, this limits the effectiveness of stewardship practices and the ability to respond to cumulative effects.

Constraints on Access to Information and Monitoring Capacity

Effective governance depends on access to information and the ability to monitor and understand changes to the territory over time. This includes knowledge of environmental conditions, project effects, and cumulative pressures.

The Project introduces complex and long-term changes to ecological systems, including hydrological processes and landscape connectivity (Section 4.1.2). Monitoring these changes requires sustained capacity, access to data, and involvement in monitoring programs.

In practice, FAFN's access to information may be constrained by monitoring and reporting systems that are designed and implemented by proponents and regulators, and split across projects. While participation opportunities may exist, they do not necessarily provide FAFN with full control over monitoring priorities, methods, or interpretation of results.

This limits the ability to access information and understand changes to the territory, reducing the ability to respond effectively to emerging impacts. Over time, these constraints may affect the ability to adapt governance and stewardship approaches in response to cumulative environmental change.

Limited Ability to Influence Project-Related and Future Decisions

The Project introduces permanent access into a previously remote region, creating conditions for increased human activity and potential future industrial development (AtkinsRéalis, 2025, Sections 6.6, 7).

Governance impacts therefore extend beyond the Project itself to include the ability of FAFN to influence future decisions affecting its territory. Once access is established, additional development may occur incrementally, each subject to separate regulatory processes.

In practice, this constrains the ability to participate meaningfully in decisions affecting the territory at a broader scale. While FAFN may engage in individual project reviews, it may have limited ability to influence the overall trajectory of development or to manage cumulative effects across the landscape.

This creates a pathway through which governance impacts extend over time. The Project contributes to a shift in control over land use, from a system grounded in FAFN stewardship to one increasingly shaped by external decision-making and development pressures.

Summary of Impacts on Governance and Stewardship

Across these pathways, the Project is expected to affect the conditions required to support governance and stewardship, including:

- **Ability to exercise authority over lands and resources**, through limitations on decision-making power and the ability to determine land use outcomes;
- **Capacity to fulfill stewardship responsibilities**, through increased environmental pressures and limited ability to manage or respond to change;
- **Access to information and ability to monitor and understand changes to the territory**, through constraints on monitoring systems, data access, and influence over monitoring design and interpretation; and
- **Ability to participate meaningfully in decisions affecting the territory**, particularly in relation to cumulative effects and the trajectory of future development.

These effects are interconnected and operate over time. Importantly, they occur within an existing context in which governance is already constrained by external regulatory frameworks and cumulative pressures (Section 4.3.1).

Project-related impacts are therefore expected to compound these constraints, particularly where the Project establishes long-term patterns of land use and enables future development beyond FAFN control. In this context, governance impacts extend beyond the Project itself to include reduced ability to influence the scale, pace, and distribution of development over time. As a result, the Project is expected to contribute to a further reduction in the effectiveness of governance and stewardship, with implications for FAFN's ability to manage lands and resources in accordance with its laws, values, and responsibilities.

5. Evaluation of Mitigation Effectiveness

This section evaluates the effectiveness of proposed mitigation and accommodation measures in addressing potential impacts on the exercise of FAFN's rights. It considers the extent to which

these measures are expected to avoid, reduce, or manage impacts, and identifies residual effects where measures are uncertain, incomplete, or insufficient.

The EAR identifies a range of mitigation and enhancement measures for potential effects on Indigenous rights, including biophysical mitigation measures, implementation of the Construction Environmental Management Plan (CEMP) and Operations Environmental Management Plan (OEMP), the Community Readiness Plan (CRP), engagement with Indigenous Nations, timing restrictions, access management, cultural awareness training, and monitoring.

However, many of these measures remain high-level, deferred to future planning, or dependent on further engagement. The EAR indicates that mitigation measures will be further developed through the CEMP, OEMP, and CRP. As a result, the mitigation framework does not provide sufficient certainty that impacts on FAFN's rights will be avoided, reduced, or effectively managed.

Table 1 evaluates the adequacy of the proposed mitigation measures in relation to the rights-based impacts identified in Section 4. Where mitigation is uncertain, incomplete, or insufficient, residual effects are carried forward to the severity determination.

Table 1 Evaluation of Mitigation Measures

Rights Area	Relevant Proponent Measures	Overall Effectiveness	Residual Effects
Harvesting	Access measures; timing restrictions; water quality protection; wildlife monitoring; worker restrictions; access controls	Partially effective for short-term construction effects; insufficient for long-term and cumulative impacts	Residual effects on access, availability, reliability, and confidence carried forward
Cultural Continuity	Site protection; cultural awareness training; spiritual monitors; engagement; alternative routes; cultural programming	Limited to site-specific mitigation; does not address broader landscape-level cultural continuity	Residual effects on access to cultural landscapes, land-based practice, and relationships to place carried forward
Governance & Stewardship	Monitoring; stewardship frameworks; participation; adaptive management; CRP/CEMP/OEMP commitments	Does not address limitations on authority or decision-making; largely procedural and non-binding	Residual effects on authority, stewardship capacity, information access, and decision-making carried forward

Overall, the proposed mitigation measures may reduce some localized or short-term effects, but they do not adequately address the main residual impacts identified in Section 4. These residual effects are therefore carried forward to the severity determination.

6. Severity of Impacts on the Exercise of Rights

This section assesses severity in accordance with the framework described in Section 3, based on the residual effects identified in Sections 4 and 5.

6.1. Harvesting

Residual effects on harvesting affect all four conditions required for the meaningful exercise of harvesting rights: access to harvesting areas, availability and distribution of harvestable species, reliability of harvesting practices, and confidence in harvested resources.

The **magnitude** of these effects is moderate to high, reflecting reduced predictability, accessibility, and effectiveness of harvesting over time due to changes in hydrology, habitat, and access, including peatland disturbance, habitat fragmentation, and permanent all-season access.

The **extent** of effects is regional. Effects extend beyond the Project footprint due to the interconnected nature of hydrological systems and the broader influence of increased access on wildlife movement, harvesting pressure, and land use.

The **duration** of these effects is long-term, and their **reversibility** is limited. Changes associated with hydrological alteration and permanent access are not readily reversed within meaningful timeframes.

These effects occur within a context of existing pressures, including climate change, hydrological modification, contamination concerns, and access constraints, and are expected to compound these stressors. The Project also contributes to **cumulative effects and induced development**, increasing the scale and persistence of impacts.

Overall, the severity of impacts on harvesting rights is assessed as **moderate-high**.

6.2. Cultural Continuity

Residual effects on cultural continuity affect the conditions supporting land-based practices, relationships to place, and intergenerational transmission of knowledge.

The **magnitude** of these effects is moderate to high, reflecting reduced ability to maintain or re-establish land-based practices and sustain meaningful relationships to place as a result of landscape disturbance, increased access, and changes in land use. These effects also reduce opportunities for shared, intergenerational experience on the land, which is central to the transmission of knowledge and cultural continuity.

The **extent** of these effects is regional, as cultural continuity depends on access to and experience of the broader landscape rather than discrete sites.

The **duration** of these effects is long-term, and their **reversibility** is limited, particularly where changes affect landscape character, patterns of use, and the conditions supporting cultural practice.

These effects are compounded by existing **cumulative effects**, including reduced time on the land, access constraints, and socio-economic changes affecting participation in land-based practices. The Project's role in enabling increased access and future **induced development** further contributes to cumulative transformation of culturally meaningful landscapes.

Overall, the severity of impacts on cultural continuity is assessed as **moderate-high**.

6.3. Governance and Stewardship

Residual effects on governance and stewardship affect the conditions required for FAFN to exercise authority over lands and resources, fulfill stewardship responsibilities, access information, and participate meaningfully in decision-making.

The **magnitude** of these effects is high, reflecting the extent to which FAFN's ability to influence decisions, manage land use, and exercise authority is constrained within external regulatory frameworks. These effects also limit access to information and the ability to monitor and interpret changes to the territory, which are necessary to support effective governance and stewardship.

The **extent** of these effects is territorial, as governance and stewardship responsibilities apply across FAFN territory and are affected by both the Project and the broader development it enables.

The **duration** of these effects is long-term, and their **reversibility** is limited, as the establishment of permanent access and associated development pressures creates enduring constraints that are difficult to alter.

These effects are compounded by existing regulatory constraints and cumulative development pressures. The Project contributes to a shift in control over land use and enables future development, reinforcing cumulative and induced governance impacts.

Overall, the severity of impacts on governance and stewardship is assessed as **high**.

6.4. Overall Severity Conclusion

The Project is expected to result in moderate-high to high severity impacts across all three rights areas.

Key effects arise from the interaction of long-term environmental change, permanent access, and induced development, which together affect the conditions required for the meaningful exercise of FAFN's rights.

While some mitigation measures may reduce localized or short-term effects, they do not address the primary drivers of impact. As a result, residual effects remain across harvesting, cultural continuity, and governance.

These effects occur within an already altered and dynamic baseline and are expected to contribute to cumulative change over time.

Table 2 summarizes the severity determination across the four criteria described in Section 3.4.

Table 2 Severity Determination

Rights Area	Magnitude	Extent	Duration	Reversibility	Severity
Harvesting	Moderate–High	Regional	Long-term	Limited	Moderate-High
Cultural Continuity	Moderate–High	Regional	Long-term	Limited	Moderate-High
Governance & Stewardship	High	Territorial	Long-term	Limited	High

7. Conclusions

This assessment finds that the WSR is expected to result in moderate-high to high severity impacts on the exercise of Fort Albany First Nation’s rights, including harvesting, cultural continuity, and governance. These impacts arise from the combined effects of long-term environmental change, permanent all-season access, and the potential for induced development. Together, these factors affect the conditions required to meaningfully exercise rights, including access to lands and waters, ecological integrity, continuity of land-based practices, and the ability to exercise authority over territory.

While mitigation measures are proposed, they are largely high-level, deferred, or dependent on future planning and engagement, and do not provide sufficient certainty that impacts will be avoided or meaningfully reduced. As a result, residual effects remain across all rights areas and are expected to compound existing pressures over time. These findings are based on a targeted assessment prepared under compressed timelines and with limited opportunity for community engagement, reflecting constraints in the broader assessment process rather than an absence of impact. Given the scale, duration, and uncertainty associated with these effects, a precautionary approach is warranted, particularly where impacts are long-term, cumulative, and difficult to reverse. In this context, the Project poses substantial risks to the meaningful exercise of FAFN’s Treaty and Indigenous rights.

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