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SENT BY EMAIL

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

Re: Attawapiskat First Nation's additional preliminary comments on the Marten Falls First Nation Community Access Road draft Impact Statement

As per the Impact Assessment Agency of Canada and the Ontario Ministry of Environment's request, Attawapiskat First Nation is providing additional preliminary comments on the Marten Falls First Nation Community Access Road (MFFN CAR) proponent's draft Impact Statement (draft IS).

On June 11, 2025, we provided high-level preliminary comments on the draft IS. The letter we are writing you today focuses on issues with the proponent's assessment of impacts to caribou, moose, and wolverine. It should be read together with the June 11, 2025 letter.

Please note that submission of these comments does not signal the consent of Attawapiskat First Nation for any developments within the area commonly known as the "Ring of Fire," including developments related to transport and resource exploitation within that area.

The below is a summary of our concerns.

1. **The proponent concludes that cumulative impacts to Land and Resource Use are non-significant. The analysis to reach that conclusion is deeply flawed and needs to be revised.**

We are told on p. 885, Section 10.4.8, that "the only valued components carried forward into the Cumulative Effects Assessment for the Land and Resource Use Discipline is Valued Component #7: Trapping."

Omitted from the cumulative effects assessment are the other Valued Components, listed in table 8-53 (beginning on p. 359), which include: Land Use Compatibility, Parks and Protected Areas, Extractive Resource Industry, Remote Outfitters, and Energy and Linear Infrastructure.

If future, foreseeable projects stemming from the proposed MFFN CAR had been considered in the cumulative effects analysis, as detailed in our submission of June 11, 2025, then it would have become clear that all the Valued Components the proponent listed under Land and Resource Use in Section 8 of the draft IS would be affected by the developments already announced as planned outcomes of the road.

Instead, the proponent considers that the cumulative effect of the proposed road touches only the Trapping valued component, and within that component "the total area removed / potentially disturbed by the combined projects is still relatively small compared to the size of the trapping tenure" (p. 885). In Appendix U, we are told that land use compatibility was evaluated by looking at the project's overlap with Marten Falls and Aroland First Nations' Land Use Plans, as well as overlap with "lands with designated uses under the Crown Land Use Policy Atlas and the Guide for Crown Land Use Planning" (p. 100). Seeing no conflicts between the road and these plans, the proponent concludes that Land and Resource Use will not be affected.

This section of the draft IS ignores the reality of neighbouring First Nations such as Attawapiskat First Nation, whose territories overlap with the road to the Ring of Fire and the developments that are the planned outcomes of the road. The proponent suggests that Marten Falls First Nation is the only First Nation that may be affected by future development, and that Marten Falls will therefore be able to deal with any eventual negative effects from such development:

> During the Project Operations and Maintenance phase, there could be proposals to develop lands in proximity to the Project because of the new access provided to the area. These developments may not be in line with the Marten Falls Community Land Use Plan. It is assumed that Marten Falls will review these

> applications regarding their conformity with the Community Based Land Use Plan. (Appendix U, p. 101).

Here the proponent appears to indicate that Marten Falls First Nations will be in a position to review, and then approve or deny, future projects falling under the category of induced development. If this is indeed what the proponent is suggesting then this idea is unheard of to Attawapiskat First Nation and needs to be explained further.

In all, the cumulative effects analysis of impacts to Land and Resource Use has been completely bungled, and the proponent must be asked to re-do the analysis taking into account our above-mentioned comments.

2. **The proponent's effects and cumulative effects analyses for moose do not consider the reality of long-term declines in moose populations in Omushkegowuk territory**.

Over the past decade, First Nations in Treaty 9 territory, including Brunswick House and Chapleau Cree First Nations, have begun adopting measures to restrict Indigenous hunting as a conservation measure. While we have not yet experienced catastrophic levels of moose decline in Attawapiskat territory, our people are very concerned about the current state of moose populations and their ability to continue harvesting moose in the future. If the road were to be built, increased access to moose hunters from the south and the expansion of outfitting camps throughout the region would be further threats to the long-term viability of moose populations in our territory.

In the Existing Conditions section of the draft IS (Section 8) the proponent acknowledges that "Indigenous communities have reported declines in local moose populations" (p. 305).

Once we get to the Refined Existing Conditions Information for moose in Section 9.4.5.1.2 (p. 652), there is no longer any mention that moose populations might be in trouble. Continuing on to Table 9-27, p. 686, "Summary of Residual Effects for Ungulates," we told only that:

> Moose populations in Wildlife Management Units 17, 1D and 18A, located within the moose effects assessment Regional Study Area, are self-sustaining at low densities based on provincial population estimates. Moose densities are within and below the expected densities for populations in boreal forests with low net primary productivity. The Moose Regional Study Area has sufficient undisturbed habitat necessary to support a self-sustaining moose population.

This is but one example of how our Indigenous knowledge, even when provided, is erased from the impact assessment process. It is also an example of the misleading information that the proponent provides with regard to the current status of, and threats to, wildlife populations. To say that moose populations are "self-sustaining at low densities" is a distortion of what is actually occurring with moose populations in the Far North of Ontario.

Outside of the environmental/impact assessment process, MNRF has recognized that moose populations are seeing major declines in parts of northern Ontario, saying that "During the 2000s, we experienced widespread declines in moose numbers across much of northern Ontario. Overall it was only about 20 per cent, but those declines were variable."[1] Ontario MNRF has also confirmed that very little scientific information is available on moose population trends for Wildlife Management Unit (WMU) 1D [which overlaps with much of the James Bay lowlands and Ring of Fire] "because Far North WMUs may only be surveyed about every 10 years since there is little hunting pressure/interest from non-Indigenous hunters."[2] The proponent makes no mention of these uncertainties and declines in the main document of the IS and does not factor the low baseline levels of moose into their cumulative effects analysis.

The proponent also fails to consider the impact of climate change within their analysis of the cumulative effects of the project to moose. In the Far North of Ontario, warmer winter temperatures, reduced snow depth, and longer and wetter spring seasons favour more intense winter tick infestations and the transmission of brainworm (P. tenuis), a parasitic nematode that is a serious threat to moose. With climate change we can also expect that deer density will increase in contact zones between moose and deer, with transmission of brainworm to follow. The proponent must consider how climate change has direct effects on moose survival, and how climate change, together with the proliferation of roads and recreational trails, favors deer and thus poses threats to moose populations.

The proponent decided not to carry forward critical information about moose from the technical appendix to the main document of the draft IS. This is unacceptable. The main document of the draft IS fails to mention most of the information on moose, parasites, and climate change that is in fact discussed in the proponent's Appendix M.[3] The main document of the draft IS contains only two sentences on the issue, saying: "Moose can contract diseases like brainworm and suffer from parasites like winter ticks," and

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[1] https://www.cbc.ca/news/canada/thunder-bay/moose-study

[2] Email from Art Rodgers (Research scientists, Ontario MNRF) to Dorothee Schreiber, 24 June 2025. WMU 1D covers a huge swath of Omushkegowuk territory and overlaps with our traditional territory (map is available here: https://www.ontario.ca/page/moose-population-management)

[3] See for example Appendix M, pp. 537-539, and p. 202.

"Hunting is managed through a tag system, but climate change poses additional risks, causing heat stress and affecting habitat" (p. 305).

The proponent concludes on p. 860 of the draft IS that

> The anticipated changes to moose habitat availability, distribution, and survival and reproduction from the Community Access Road and past, present and reasonably foreseeable activities, and climate change are expected to remain within the resilience and adaptability limits of the regional populations. ... Therefore, the cumulative residual effects from past, present and reasonably foreseeable activities (including the Community Access Road) and climate change on moose are considered not significant assuming the mitigation measures outlined in Section 9 are implemented." [underlining added]

The proponent bases their conclusion of non-significant cumulative effects of the project purely on the availability of habitat, and not dynamics related to predation, climate, or parasitic load. This is highly problematic. The effects and cumulative effects sections for moose need to be reviewed and revised by scientists with expertise in the ecology of moose in northern regions. Insofar as information on threats to moose from parasites and climate change is contained in Appendix M, this information needs to be fully carried forward into the effects and cumulative effects analyses for moose.

We also remind Ontario and Canada that the scoping of projects for the cumulative effects analysis of moose presented by the proponent in the draft IS is severely lacking and needs to be revised, as outlined in our letter of June 11, 2025.

3. **The effects and cumulative effects analyses for caribou greatly underestimate the impact of the proposed MFFN CAR.**

The proponent concludes on p. 860 that "the combined residual cumulative effects from the Community Access Road and past, present and reasonably foreseeable developments on caribou and caribou habitat are determined to have a significant influence on self-sustaining and ecologically effective caribou populations in the caribou effects assessment Regional Study Area."

Caribou is the only "valued component" for which the proponent has determined a significant cumulative impact of the project.[4] Even so, the effects and cumulative effects

[4] The proponent obscures this fact by using the word "placeholder" in the significance column of the cumulative effects summary Table 10-7 on p. 879.

analyses for caribou presented by the proponent do not provide anywhere near complete information on the extent to which caribou would be impacted by the proposed road and the developments that are waiting for the road to be built. It is critical for Attawapiskat First Nation to receive accurate and complete information about the true extent of the cumulative impact of the road on our relative, Atik (caribou).

The proponent's analysis of the cumulative effects of the project on caribou has not been properly done and must be revised, as follows:

a. **The proponent underestimates the importance of the project area as winter habitat for boreal caribou**.

   The proponent relies on its own telemetry data, collected in support of the MFFN CAR impact assessment process, to build models about caribou habitat suitability. As the proponent acknowledges on p. 860, the assessment of the significance of effects to caribou is "primarily informed by 2 years of recent collar data for caribou."

   This limited approach to information gathering about caribou habitat use ignores a solid body of scientific study on the high significance of the ecozone boundary as caribou winter habitat. Ontario's own caribou scientists have told the MECP that the ecozone boundary, where the James Bay Lowlands meet the Ontario Shield, and where the Ring of Fire and its proposed road would be built, is an area that is especially important for caribou. They warned that impacts to caribou may therefore be greater there than in other places.[5]

   A habitat selection model published earlier this year by caribou scientists at the Canadian Wildlife Service (CWS) strongly supports that conclusion: "Rather than being uniformly distributed, predicted suitable winter woodland caribou habitat is aggregated within the range." The CWS model "identified a large area of highest predicted winter habitat suitability in the Missisa range that is most concentrated within the transition zone and decreases axially with distance from the ecozone boundary line."[6] In other words, the areas of highest winter caribou habitat suitability are concentrated around the proposed road corridor and the Ring of Fire.

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[5]Berglund, N.E., G.D. Racey, K.F. Abraham, G.S. Brown, B.A. Pond, and L.R. Walton. 2014. Woodland caribou (Rangifer tarandus caribou) in the Far North of Ontario: Background information in support of land use planning., Ont. Min. Nat. Resour., Biodiversity and Monitoring Section Tech. Rpt. TR-147, Thunder Bay, Ontario. 160 pp. P. 130.

[6] McFarlane, Samantha, V. Van Mierlo, M. Manseau, A. Kroeze, E. Eberhardt, and J. Girard. 2025. "Bioclimatic, terrain, and specific peatland composition are major drivers of woodland caribou winter habitat suitability in northern Ontario." Canadian Journal of Zoology 103: 1-19. P. 11

b. **The proponent underestimates caribou habitat loss from the project due to sensory disturbance**.

While the proponent discusses sensory disturbance in section 7.3.1 (p. 312 of Appendix M), by the time we reach section 7.3.2 "Characterization of Predicted Residual Effects," the analysis assumes a 500m buffer to account for habitat loss around anthropogenic disturbances (p. 385 of Appendix M), with "minor residual effects" (p. 386 of Appendix M). Table 7-21 of Appendix M (beginning on p. 397 of Appendix M), "Characterization of Predicted Residual Effects and Determination of Significance for Ungulate Valued Components," carries forward this assumption of a 500m zone of influence.

The zone of influence of anthropogenic disturbance on caribou described in the scientific literature is considerably greater, and can extend up to 15km.[7] The residual effects and cumulative effects analyses must therefore be redone with this in mind.

c. **The proponent minimizes the importance of the destruction of nursery habitat, winter habitat, and eskers in the ecozone boundary**.

The proponent repeats the following statement several times in Table 9-27: Summary of Residual Effects for Ungulates (see for example p. 667 of the draft IS):

> The Construction of the Project will directly remove 17,476 hectares of known and potential new Category 1 habitat, a change of -6.6 percent relative to the available Category 1 habitat in the ungulate effects assessment Local Study Area in the existing environment and -0.2 percent relative to the available Category 1 habitat in the caribou effects assessment Regional Study Area in the existing environment.

This estimation only considers direct habitat loss from the road, and not habitat loss due to sensory disturbance and avoidance, as discussed above. This results in a serious under-estimation of Category 1 habitat loss resulting from the construction of the road to the Ring of Fire.

We remind the proponent and regulators that the proposed north-south Ring of Fire road is slated to pass through numerous areas that under Ontario's General Habitat Description for Forest-Dwelling Woodland Caribou are considered Category 1 areas, or "sub-range habitat features that currently exhibit repeated, intensive use by individuals or multiple caribou, and include Nursery Areas, Winter Use Areas and

[7] See for example: Plante, Sabrina, et al. 2018. "Human disturbance effects and cumulative habitat loss in endangered migratory caribou." Biological Conservation 224: 129-143. And: Boulanger, John, et al. 2012. "Estimating the zone of influence of industrial developments on wildlife: a migratory caribou Rangifer tarandus groenlandicus and diamond mine case study." Wildlife Biology 18: 164-179.

Travel Corridors." Category 1 areas are areas that have the lowest tolerance to alteration before their function, or usefulness, in supporting caribou is compromised,[8] a fact that is nowhere mentioned in the draft IS.

The proponent also does not consider the significance of eskers to caribou in the summer. Like humans, caribou prefer to walk on eskers in the summer to avoid mosquitos and black flies in the muskeg. Much of the proposed road route to the Ring of Fire follows eskers. These long areas of high ground are made up of gravel left behind by retreating glaciers. They have been used by caribou for thousands of years. Our people often camped in the flat, sandy areas alongside eskers. The proponent now wants to build a road that will remove this habitat from use by non-humans for the foreseeable future. The serious impact of the loss of eskers to caribou (and other wildlife) needs to be considered as part of a holistic cumulative effects analysis.

d. **The proponent's averaging of linear feature density across the vast area of the regional study area is not legitimate and must be revised**.

The proponent claims on p. 680 that

> The overall linear density in the caribou effects assessment Regional Study Area is expected to increase by approximately 0.001 kilometres / square kilometre and will remain less than the density whereby predation is expected to have a limiting effect on a caribou population.

The density of linear features cannot be "averaged" in this way across an entire caribou range. The proponent should review the report of Best et al. (2025)[9] regarding the functional (nonlinear) responses of caribou and their predators to increasing linear feature density. Even in landscapes where the "average" density of linear features is low, once the density of linear features in a local area increases past a threshold, caribou are exposed to elevated predation risk. The proponent and regulators need to recognize that in the north, predation risk to caribou is driven by anthropogenic disturbance, in particular linear features such as roads, trails, cut lines for mineral exploration, etc., that wolves can exploit. This is different from the so-called "disturbance-mediated apparent competition" that drives caribou-moose-wolf dynamics in more southern parts of caribou range. Therefore, while linear feature density leading to elevated predation on caribou may occur only in particular parts of the range, there are regional and population-level consequences from those local impacts that must be considered.

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[8] https://www.ontario.ca/page/general-habitat-description-forest-dwelling-woodland-caribou

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

e. **The proponent fails to integrate information about the interactive effect of mining development and climate change into the cumulative effects analysis for caribou**.

The proponent does not carry forward to the main document of the draft IS any of the critical information about the interactive effect of climate change and mining development that was published by Rempel et al.,[10] a group of Ontario MNR scientists, in 2021. While this landmark study is listed in the references of the main document draft IS, it is mentioned nowhere in the text.

In the technical Appendix M, on ungulates, the proponent mentions in one sentence on p. 488 that climate change plus development increases predicted caribou decline from a 10% population decline to a 17% population decline, and cites the Rempel et al. (2021) study as the source of that information. However, this information is not then carried forward to the proponent's assessment of the cumulative effects of habitat loss and alteration, in Section 8.2.1.1.4, "Characterization of Predicted Cumulative Effects." (starting on p. 490 of Appendix M).

In fact, the proponent makes no mention of the interactive effect of climate change and development in that section, focusing instead on the fact that the Missisa and Ozhiski caribou ranges will remain below the 35% habitat disturbance threshold. This is in direct contrast to the Rempel et al. (2021) article, which highlights the importance of considering the interactive effect of habitat loss and climate change:

> ... caribou are likely to be even more sensitive to habitat disturbance in future decades because its effects will be cumulative to the indirect effects of climate change. <u>As a result, management thresholds derived from simple empirical relationships between key vital rates and disturbance (ECCC 2011) risk overestimating the amount of disturbance that can occur within a range before the probability of caribou persistence drops below desirable levels</u>. [underlining added][11]

Ignoring completely Rempel et al.'s warning and estimates of dramatic impact from the interactive effect of habitat loss and climate change, the proponent bases their cumulative effects analysis on habitat loss alone, saying nothing more about climate change in section 8.2.1.1.4 other than that climate change will negatively impact caribou and that the magnitude of the change is uncertain (p. 491 of Appendix M). This distortion results in a serious underestimation of cumulative effects to caribou and is unacceptable. It must be revised by the proponent.

f. **The proponent fails to consider the effect to caribou of the north-south transmission line that is planned along the road corridor**.

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

[11] Rempel et al. 2021, p. 1368.

In June 2025, Ontario published its "Energy for Generations" plan, which promises the building of new electrical generating and transmission infrastructure to meet the demand from a growing economy. The report states that "While thousands of kilometers of new transmission lines are being built across northern Ontario, new development will be required to further connect remote First Nation communities and unlock critical minerals, including the Ring of Fire."[12]

Ontario's Independent Electricity System Operator (IESO) concluded its Northern Ontario Connection Study in 2025 and found that the preferred option for a transmission line to the Ring of Fire is a north-south route that would take advantage of the proposed road corridor.[13] The feedback that IESO received from Wyloo (Ring of Fire Metals) on this finding was that "The proposed transmission line is essential for the development of the Eagle's Nest project."[14]

There is therefore no question that this transmission line must be considered as part of the cumulative effects assessment for caribou. The proponent must also consider that caribou can see the corona light from high-voltage transmission lines and that this leads to strong behavioural avoidance. Zones of avoidance by caribou of power lines extend up to 5km especially when combined with other infrastructure, such as roads.[15]

4. **The proponent proposes to develop a "biodiversity offset plan" for caribou and wolverine, yet neither species will be able to survive long-term alongside the widespread anthropogenic disturbance that is the planned outcome of the proposed road. This contradiction must be addressed by the proponent.**

   It is nonsensical to propose to "offset" the impacts of habitat loss and fragmentation for species such as caribou and wolverine that require large areas of undisturbed wilderness to survive and reproduce.

   For the proponent to say that they will be able to "offset," or compensate for, the cumulative impact of the project is to rely on what is essentially a magic trick: the proponent wants us to believe there is habitat "out there" somewhere that can make up for the inundation of caribou and wolverine habitat by anthropogenic disturbance.

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[12] Government of Ontario. 2025. Energy for Generations: Ontario's Integrated Plan to Power the Strongest Economy in the G7. 152 pp. P. 25. Available at: https://www.ontario.ca/page/energy-generations

[13] https://www.ieso.ca/-/media/Files/IESO/Document-Library/engage/nocs/NOCS-20250507-presentation.pdf

[14] https://www.ieso.ca/-/media/Files/IESO/Document-Library/engage/nocs/NOCS-20250507-feedback-WyloovF.pdf

[15] Tyler, Nicholas J.C., et al. 2016. "Cryptic impact: visual detection of corona light and avoidance of power lines by reindeer." Wildlife Society Bulletin 40(1): 50-58. See also: Plante et al. 2018, p. 136.

The proponent must bring the reality of range recession for caribou and wolverine into the analysis of cumulative effects. In a span of little more than 100 years, from 1880 to 1990, half of historic woodland caribou range was lost, a rate of disappearance of 34,800 km2 per decade, and a northward range recession of 34 km per decade.[16]

Wolverine shows a similar pattern, with a range that has historically receded from the "front" of advancing human disturbance. As reported in Ontario's wolverine recovery strategy:

> In Ontario, Wolverine range recession since 1880 has been documented by Dawson (2000) based on sightings and fur harvest returns. The pattern for Wolverine has been similar to that of Woodland Caribou: both species disappeared from southern Ontario fairly rapidly during the nineteenth century during a period characterized by a large increase in human settlement, logging and railroad construction, and during the early twentieth century, a period of intensive exploitation of wildlife (Dawson 2000, Racey and Armstrong 2000, Schaefer 2003). In addition to this documented correspondence between Wolverine decline and the spread and intensity of the human footprint in Ontario is the fact that Wolverine populations have a low intrinsic ability to recover and repopulate areas from which they have been extirpated (Weaver et al. 1996, COSEWIC 2003).[17]

5. **No information is provided on how cumulative caribou habitat loss due to foreseeable industrial / infrastructure projects was calculated. This information must be provided in a revised draft of the IS**.

   Appendix M (Ungulates), Section 8.2.1.1.1, "Habitat Loss and Alteration – Potential Cumulative Effects," provides no information on how the physical size of the footprint of various disturbances contributing to cumulative effects was determined.

   On p. 435 of Appendix M, the proponent simply states that "To calculate change in habitat in the cumulative assessment, physical footprints of the Project and past, present and reasonably foreseeable activities were applied to the landcover."

   Although Appendix M is 1034 pages long, it does not appear to contain any information on how the proponent calculated the footprint (amount of habitat loss) of <u>future</u> projects.

   For example, for the Eagle's Nest mine, how are we to know which facilities were included? Were the ancillary facilities; concentrate handling and transfer and transload

[16] Schaefer, James A. 2003. "Long-term range recession and the persistence of caribou in the taiga." Conservation Biology 17(5): 1435-1439.

[17] https://www.ontario.ca/page/wolverine-recovery-strategy

facilities; tailings and waste rock management, overburden and aggregate stockpiling; surface infrastructure such as accommodations and service facilities, power generation or transmission; waste management, explosives handling and storage, and fuel storage; water collection, management and treatment; and a transportation corridor to link the mine to the proposed all-season road, included?[18]

Furthermore, the proponent uses outdated and inappropriate datasets to calculate existing anthropogenic habitat disturbance and so underestimates the baseline level of disturbance in caribou habitat.

In Section 4.3.4.1 (Appendix M, p. 82), we learn that Ontario Far North Land Cover data was used to estimate the amount of anthropogenic disturbance. This provincial satellite-derived habitat disturbance data set was last updated in 2012, and is by now more than 10 years out of date. The 2000 version of that dataset, which was used to fill in gaps in the 2012 dataset, is even more out of date. The draft IS therefore fails to consider cumulative disturbance from existing disturbances not captured in another provincial inventory (such as the forest resources inventory).

Besides being more than 13 years out of date, the landcover dataset being used is a 30 x 30m resolution raster layer. We know from experience that this resolution is too low to identify any of the habitat disturbances resulting from mining exploration in the Ring of Fire.

6. **The endangered Eastern Migratory caribou and the full extent of its habitat must be included in the effects and cumulative effects analyses. It is not acceptable to use the forest-dwelling boreal caribou as a stand-in for all caribou**.

   The proponent uses four provincially delineated boreal caribou ranges (Missisa, Ozhiski, Nipigon and Pagwachuan) as the Regional Study Area and "as a stand-in for all caribou" (p. 290). In Section 8.2.7.1 (p. 290), the proponent states that the reason for this is: "We assume that eastern migratory caribou will face the same effects as boreal caribou when they are in the ungulates study areas."

   Ontario MNRF scientists have reported that half of the caribou collared in the Missisa Range in the winter migrate to the coast to calve, and are therefore eastern migratory caribou.[19] The proponent does not dispute that some caribou in their study area calve on the Hudson Bay coast, but they assume that there is nothing different about eastern migratory caribou when it comes to the effects of the project. This is a faulty

[18] These project elements are described as part of the Eagle's Nest mine in Ontario's informational website about the project. https://www.ontario.ca/page/eagles-nest-multi-metal-mine

[19] Presentation by Art Rodgers (MNRF), "Caribou Research in the Missisa and Ozhiski Caribou Ranges (2019-2024)" to Attawapiskat First Nation. October 31, 2024.

assumption, because eastern migratory caribou have unique population dynamics and life histories, and may be differently impacted by the cumulative effects of the proposed road. The particular vulnerabilities of the migratory ecotype need to be carefully considered as part of a complete cumulative effects analysis.

The "Summary of Input from Government Agencies" (Table 11-7, p. 927) contains an entry for *"Eastern Migratory Caribou mitigation: Feedback was provided on the need for tailored strategies for Eastern Migratory Caribou compared to Boreal Caribou*." In response, the proponent states that:

> The Environmental Assessment / Impact Statement includes tailored mitigation strategies for Boreal Caribou and Eastern Migratory Caribou:
>
> - The mitigation strategies account for the distinct sensitivities of each species to disturbances, with specific life history considerations factored into the plans (**Section 9.4.5.4**); and
>
> - Feedback on caribou habitats has directly influenced site-specific measures in wildlife management (**Section 9.4.5.4**).

We cross-referenced this claim with what the proponent wrote in Section 9.4.5.4, and there are in fact no eastern migratory caribou-specific mitigation strategies proposed in that section. The mitigation measures listed in Section 9.4.5.4 are standard work practices that apply to construction projects anywhere and that commit only to "minimize overlap with" sensitive habitats such as nursery areas and migratory pathways, and minimize the footprint, "to the extent practical" and where "possible."

What's more, the mitigation strategies that are listed in Section 9.4.5.4 include measures that will not protect caribou populations from habitat loss. The proposed mitigation measure on p. 667 and 671 that "Environmental approval conditions, permits, or authorizations issued for the Project ... will be followed" is meaningless from a conservation perspective, given that one of the key barriers to caribou conservation in Canada is that

> Regulatory bodies consistently make exceptions and authorize habitat-disturbing activities in critical habitat by issuing permits, dispositions, licenses, agreements, or approvals. These exceptions occur even though most provinces have laws to protect caribou habitat, and have led to ongoing development and destruction of caribou habitat. These exceptions also impact Indigenous communities and may violate their inherent or Treaty Rights.[20]

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[20] Hill, Dorothy, Morrigan Simpson-Marran, Lorne Gould, and Sarah Nason. 2021. Status of Boreal Woodland Caribou Conservation in Canada: A summary of range planning, restoration, and opportunities to win on caribou and climate. The Pembina Institute. 93pp. P. 78

Seeking the required environmental approvals is therefore not a mitigation measure, and should not be construed as such in the proponent's IS.

Attawapiskat First Nation requires that the proponent clarify what "distinct sensitivities of each species [ecotype]" and "specific life history considerations" were factored into the mitigation strategies for eastern migratory caribou versus woodland caribou, as claimed on p. 927.

Attawapiskat First Nation also requires that eastern migratory caribou be included as a separate unit of analysis within the ungulate effects and cumulative effects analyses. The cumulative effects analysis for eastern migratory caribou must explicitly consider the specific climate change threats faced by this ecotype, including loss of habitat from the invasion of tundra by shrubs and spruce.

7. **The proponent's analysis of the impacts of the project to wolverine contains numerous gaps and inconsistencies. The cumulative effects assessment also does not follow logically from the effects assessment. The sections of the draft IS that discuss wolverine must be reviewed by a qualified ecologist and rewritten**.

On the expected effects of the project to wolverines the proponent writes in section 9.4.7.2.2 (p. 719-20 of the draft IS) that:

> " … [the road] has the potential [to] impact their [wolverine] distribution or connectivity at a <u>regional</u> level." [underlining added]
>
> "The female wolverines displaced from boreal habitat by the Community Access Road may not be successful in establishing territories to the north and east of the Community Access Road. Therefore, there is a risk of reduced reproductive success in the females that inhabit home ranges that overlap with the Community Access Road which may represent a risk to the low density wolverine population in the effect assessment <u>Regional Study Area</u>. [underlining added]
>
> Wolverine are considered a threatened population in Ontario, whose populations are declining, and as such they will be sensitive to changes in survival and reproduction from an additional mortality source. Compounded by wolverines' low reproductive rate, and the low population density in the Regional Study Area, the mortality of a small number of reproductive females would have a negative effect on the <u>regional population</u>. [underlining added]
>
> … it is anticipated that the Project effects may be **significant** to

> the sustainability of the population in the effect assessment Regional Study Area. [underlining added]
>
> Overall, if the reproductive success of a few female wolverine in this low-density, low reproductive-rate population is affected, the regional wolverine population may not remain self-sustaining and ecologically effective in the residual effects assessment (in other words, there is a predicted change in the assessment endpoints). [underlining added]

The above-quoted statements make it clear that the level of analysis for impacts of the project to wolverines is taking place at the regional level, and that impacts are expected to be significant.

Table 9-22, "Summary of Residual Effects for Wildlife" (p. 518) tells a different story.

The entries in this table for wolverine, which begin on p. 531, consider only the local study area or the construction disturbance area. This reversal, from considering conservation threats at a regional level to considering only the local level, is unacceptable and needs to be corrected. Given the purely local geographic focus, it is not surprising that the proponent found that residual effects to wolverine from sensory disturbance and habitat loss and alteration were "not significant." Perhaps the most important effect to wolverine listed in Table 9-22 (habitat loss and alteration from the operation and maintenance of the road) has a blank entry in the "predicted residual effects" column.

The cumulative effects analysis for wolverine, which takes up less than a page in the draft IS, again does not mention any of the threats to wolverines outlined in Section 9.4.7.2.2. The analysis simply states on p. 847 that

> After implementation of the Project and the other reasonably foreseeable developments, the weight of evidence from the analysis predicts that the anticipated changes to wolverine habitat availability, distribution, and population survival and reproduction are expected to remain within the resilience and adaptability limits of the regional population in the wolverine effects assessment Regional Study Area. … Therefore, the cumulative effects on wolverine after the implementation of the Project and the other reasonably foreseeable developments are predicted to be **not significant**.

There is no explanation of what is meant by "the weight of evidence," or how it is possible that in Section 9.4.7.2.2 that proponent believed that project impacts were significant to the sustainability of the population, yet when further projects are added to the analysis in the cumulative effects assessment, the combined impacts were deemed not significant.

In coming to their conclusion of non-significance, the proponent relies on the fact that the proposed road, together with the proponent's selection of reasonably foreseeable projects, "represents a change of 0.45 percent of suitable habitat within the wolverine effects assessment Regional Study Area relative to existing conditions" (p. 845). We are given no explanation as to why this fact would alter the proponent's determination of significant impacts in Section 9.4.7.2.2, especially since the proponent had indicated on p. 719 that a large portion of the Regional Study Area in fact lies within the Hudson Bay Lowland ecozone and is likely not suitable wolverine habitat. The proponent's reasoning that a low percentage of habitat loss equals a small impact is scientifically indefensible on many levels, including that in the case of wolverine, as for many other species, "landscape change manifests as more than just physical disturbances: it alters the ecological processes that structure communities. These processes contribute to declines of species that cannot adapt to the novel disturbance features."[21]

We also remind the proponent and regulators that the scoping of the cumulative effects analysis carried out for wolverine is unacceptable, as outlined in our June 11, 2025 letter.

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

Sincerely,

<Original signed by>

Chief Sylvia Koostachin-Metatawabin
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cc.
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[21] Chow-Fraser, G., N. Heim, J. Pacskowski, J.P. Volpe and J.T. Fisher, 2022. "Landscape change shifts competitive dynamics between declining, at-risk wolverines and range expanding coyotes, compelling a new conservation focus." Biological Conservation 266: 109435.