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March 15, 2023

TO

Honourable Minister Steven Guilbeault
Minister of Environment and Climate Change Canada
House of Commons
Ottawa, ON
K1A 0A6
Steven.Guilbeault@parl.gc.ca

Impact Assessment Agency of Canada
160 Elgin Street
Ottawa, ON
K1A 0H3
terence.hubbard@iaac-aeic.gc.ca

RE: AAN Assertion at CNC's Crawford Project and Request for Joint Review Panel in Federal IA

Dear Sirs:

Mattagami, Matachewan and Flying Post First Nations (the "Wabun First Nations") were copied on the letter you received from Apatipi Anicinapek Nation (AAN) dated March 7, 2023, requesting a Joint Review Panel be established under the *Impact Assessment Act* for the Crawford nickel project that has been proposed by Canada Nickel Company. This is the first time we have seen AAN asserting in writing that its traditional territory extends to the proposed Crawford nickel project area, and we respectfully must advise that we do not accept that AAN's traditional territory extends into this area. While we have known and accept that AAN's traditional territory does overlap with Wabun First Nations in other areas of Treaty 9 territory, the area of the proposed Crawford nickel project is not in an overlapping area.

We were quite concerned to learn through this letter that AAN's claimed traditional territory now includes this area. AAN made no independent effort to discuss this extension of their claimed traditional territory with the Wabun First Nations. While it is true that First Nations' traditional territory boundaries may be adjusted somewhat over time if it is actually discovered that the scope of their territory was not correctly mapped, that is a matter that should be raised with the other First Nations with known traditional territories, and those overlaps should first be discussed with



the First Nations to address any disputes about whether the extension of traditional territory is consistent with our knowledge of our history and land use by neighbouring First Nations. To learn of these assertions in a letter to the Crown is very disappointing to us. No corroborating evidence in support of their expanded traditional territory has been provided to us or, as far as we know, to the Crown.

The Wabun First Nations have been actively participating in the federal impact assessment process for this project. We have concluded a confidential process agreement with Canada Nickel Company on February 15, 2022. Under this agreement, our communities have each engaged a full-time community impact assessment coordinator and independent environmental consultancy to assist us in participating in the impact assessment process. We have been able to raise issues and concerns in that process which the proponent has been addressing in an appropriate manner thus far. We are also negotiating an impacts and benefits agreement with Canada Nickel Company under which we believe that in good faith we will be able to negotiate acceptable arrangements to accommodate impacts to our treaty and aboriginal rights.

We are also participating in consultation processes with the province relating to consultation on permits required for the Crawford nickel project. We would note that Ontario has not included AAN as a party that Canada Nickel Company was required to consult with. We believed that to be an appropriate decision on Ontario's part to not include AAN within the First Nations to be consulted, based on our knowledge of AAN's traditional territory boundary (Figure 1).

For a review panel to be established, Minister Guilbeault, you must believe referring the project to a review panel is in the public interest. We are of the view at this stage of our work with the proponent under the process agreement, and our negotiations with the proponent towards an impact and benefits agreement, it is not in the public interest to proceed to a review panel. The Wabun First Nations whose rights would be affected by this project are confident we can address our concerns about the impacts of this project under the processes in our process agreement with the proponent and through our IBA negotiations, as well as through consulting with Canada in the current impact assessment process under the Impact Assessment Act without the added time and effort of a joint review panel. If, however, you were to consider establishing such a panel, it would be necessary to discuss this with our First Nations before making any decisions as to the appointees, as the Wabun First Nations must be able to recommend appropriately qualified people that you would appoint to the panel.

Please note that an election for Chief and Council of Matachewan First Nation will be held shortly and consistent with that First Nation's practice, the current Chief cannot sign substantive letters on behalf of the First Nation. Despite the restriction on signing this letter, current Chief Alex Sonny Batisse of Matachewan First is aware and in support of this letter, however this letter is being submitted via email only, by Mattagami First Nation and Flying Post First Nation.



Sincerely,
<Original signed by>

<Original signed by>

Chief Chad Boissoneau
Mattagami First Nation

Chief Murray Ray
Flying Post First Nation

cc: Chief Sonny Batisse, Matachewan First Nation
Chief Bruce Archibald, Taykwa Tagamou Nation
Chief June Black, Apitipi Anicinapek Nation
Mark Selby, Canada Nickel Company
Pierre-Philippe Dupont, Canada Nickel Company
Jason Batisse, Wabun Tribal Council, Executive Director
Nicole Charbonneau, Wabun Tribal Council, Mineral Development Advisor

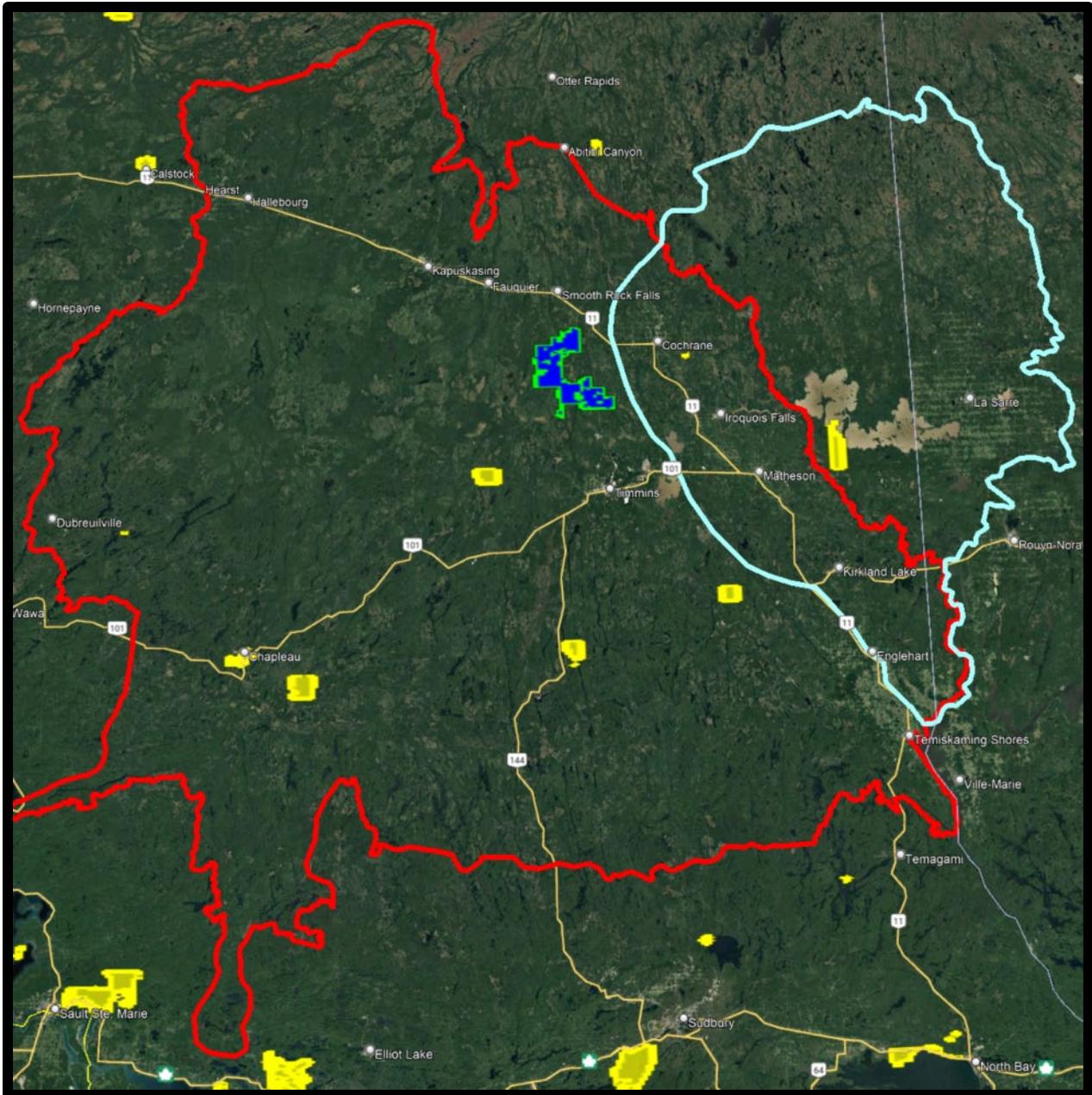


Figure 1. Aggregate of Wabun member Nations' Traditional territories (red) relative to the Crawford project (dark blue) and AAN's traditional territory (light blue) as it is known to the WTC Nations'. Note that First Nation reservations are shown in yellow.