



MOOSE CREE FIRST NATION

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Crawford Nickel Project
Impact Assessment Agency of Canada
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*****BY EMAIL*****

RE: Moose Cree's Exclusion from Planning for the Proposed Crawford Mine

I am writing on behalf of Moose Cree First Nation ("Moose Cree") to register our serious concern about being excluded from the early planning for the proposed Crawford Nickel Project (the "Project") and from the plans for Indigenous engagement and partnership related to impact assessment process for the Project. This situation must be rectified immediately. Moose Cree and the Impact Assessment Agency of Canada's ("IAAC") must work together to ensure Moose Cree's rights and interests are appropriately considered, and that IAAC, as the Crown, is able to properly fulfill its constitutional obligations to Moose Cree.

Moose Cree is a Treaty 9 First Nation, with treaty rights, Aboriginal rights, and other interests throughout much of northeastern Ontario. Our Homeland is vast—the southernmost boundary is only approximately 70 kilometres from the Project site. While the Project site is not within the boundaries of our Homeland, our cursory review of the key documents provided on IAAC's Registry has confirmed that there is a high potential for impacts to the Mattagami River and Abitibi River watersheds, which flow northward from the Project site into our Homeland (see Moose Cree First Nation Homelands map, attached). As stewards of our Homeland, Moose Cree people have a responsibility to care for these waters, and we have relied on them to sustain us since time immemorial. Impacts to these waters and the wildlife that rely on them have the potential to adversely impact Moose Cree's rights and interests.

Given the high potential for impacts in our Homeland, it is very troubling that Moose Cree has been left out of the pre-planning phase for the Project, and off of the Crown Consultation list in the Indigenous Engagement and Partnership Plan (the "IEPP"). The IEPP says that the Indigenous communities included in the IEPP are "communities that may be potentially impacted by the Project," including communities "where the Project may adversely impact the exercise of Aboriginal or Treaty rights" and "Indigenous Peoples with asserted rights where an assessment of effects [under the *Impact Assessment Act*] may be required." From our perspective, Moose Cree's exclusion from early planning and from the IEPP cannot be justified and is inconsistent with the Crown's constitutional duty. We ask that IAAC provide an explanation for our exclusion. Further, it is critical that Moose Cree and IAAC meet immediately to discuss how Moose Cree will be informed and properly engaged and consulted going forward.

What follows are our very preliminary comments on the draft Tailored Impact Statement Guidelines (the "Draft Guidelines"). We must emphasize that we have not had an opportunity, or capacity support, to consider the Draft Guidelines or any other Project material in comprehensive way. We have not had the

opportunity to consult with IAAC staff, our leadership, or members. We provide the following comments only as a preliminary register of our concerns and views.

Moose Cree's primary concern at this time is to ensure the potential impacts on streams and rivers as a result of Project construction, operation, and decommissioning will be properly understood, avoided, and mitigated. The Draft Guidelines require the proponent to establish appropriate spatial boundaries of study areas to assess impacts on Valued Components, including a Regional Study Area ("RSA") defined as an area beyond the local study area delineated by ecological or other boundaries. Appendix 1 of the Draft Guidelines says that the proponent should consider "areas potentially impacted by changes to water quality and quantity or changes in flow in the watershed and hydrologically connected waters" in assigning appropriate spatial boundaries. Moose Cree appreciates that this direction and guidance is likely to support the delineation of an RSA which will include the many rivers and streams which flow through the Moose Cree Homeland and are connected to the Project area, including the downstream portions of the Mattagami River. Moose Cree supports the identification of water quality and flows in the Mattagami River as a Valued Component, and the study of cumulative impacts to the Mattagami River; however, we must emphasise that water quality and flows of all rivers and streams potentially impacted by the Project and flowing from the Project site into our Homeland must be equally studied. These river systems have already been altered and impacted by various stressors, including other mines near the Project site, as well as significant hydroelectric development further downstream. The cumulative impact of the Project combined with existing industrial stressors must be thoroughly studied and understood. Moose Cree supports the study and assessment of the cultural importance and archaeological potential of the Mattagami River and the Abitibi River, as set out in section 12 of the Draft Guidelines.

Before the impact assessment for the Project proceeds, Moose Cree expects that we will develop a plan for direct and meaningful engagement with IAAC to ensure that our rights and interests with respect to the Project and our Homeland are properly understood. We also expect to be fully informed of the assessment process going forward to ensure we can conduct more fulsome reviews and provide more detailed accounts of our interests and concerns. You can contact me at <Email address removed> to arrange a meeting at your earliest convenience.

Mikwec,

<Original signed by>

Ron Spencer
Director of Lands and Resources
Moose Cree First Nation

c.c. Chief Mervin Cheechoo
Moose Cree Council
Mark Butterfly, Executive Director

