



Crawford Nickel Project

Impact Assessment Agency of Canada

600-55 York Street

Toronto, Ontario M5J 1R7

Telephone: 416-952-1576

Email: Crawford@iaac-aeic.gc.ca

Feb 21, 2025

**RE: Wabun Tribal Council comments on the review of Canada Nickel Company's
Crawford Project Impact Statement**

Dear Impact Assessment Agency representatives,

Please accept the following as a summary of the key points raised by Flying Post, Mattagami and Matachewan First Nations during a review of CNC's Crawford Project- Summary Impact Statement. Wabun Tribal Council First Nations are looking forward to on-going engagement with CNC and the Agency. We welcome any opportunity for input and collaboration.

Respectfully,

<Original signed by>

Nicole Charbonneau HBS.

Mineral Development Advisor

Wabun Tribal Council

mdadvisor@wabun.on.ca

<personal information removed>

General Observations

Overuse of the word “potential”. The First Nations Aboriginal and Treaty rights have been, are, and will continue be undoubtedly impacted. Especially when the impact of the proposed development of a greenfield is considered in the context of the long-term cumulative effects of development experienced by the Nations across their traditional territories.

Assumed efficacy of proposed mitigation measures and industry best practices

The First Nations are concerned with the actual efficacy of most of the mitigation measures proposed to address expected environmental effects that impact the exercise of their rights, and the subsequent assessment of residual effects based on the assumed efficacy of the mitigation measures. For example, the First Nation community members are concerned about the mobility of tailing dust, especially from a relatively larger tailing storage area using a dry-stack storage method (dry-stack vs slurry). Unfortunately, our First Nations have recent and relevant experience with the tailing dusting issue at a few other mine sites within their territories and have seen little to no progress to ameliorate current practices to adequately mitigate the issue. For this reason, the First Nations are hesitant to accept that the development of an Air Quality Management Plan (Page 13 of Summary Impact Statement) will be an effective mitigation measure and do not agree with the relevant assessment of residual effects. The First Nations are seeking a strong commitment from CNC and the Agency for a more meaningful and truly collaborative approach in the next stages of the Impact Assessment.

Archeology and Sites of Archeological Potential

The First Nations also remain concerned about the adequacy of the Stage 1 Archeology Report that was conducted in part for the preparation of CNC’s Impact Statement. The First Nations hired an independent and qualified archaeologist to review the report prepared by CNC and advise the First Nations of any potential impacts to their rights. During their review, the independent archeologist, who is relatively more experienced working with our First Nations and in the local area raised concerns with the methodology or rationale used to identify or exclude areas of potential archeological significance. Proper identification and protection of any sites of potential cultural or archeological significance is of utmost importance to the First Nations. While CNC has committed to on-going consultation with the First Nations and the independent archeologist to address the concerns and participate in the planning and design of any future studies, the First Nations feel it important to raise this concern directly with the Agency for their consideration. The report prepared for the First

Nations has been appended to this letter as supporting documentation. Refer to the supporting document Archeology Report for more details.

Effluent Discharge location and Water Quality Monitoring

The First Nations greatly value local water bodies including lakes and rivers in the exercise of their rights and take their responsibility to protect water quality to heart. There still exist many concerns with the selection of effluent discharge locations among our community members. While the First Nations agree with the objective of reducing impacts to the Mattagami River and watershed due to the long history of cumulative impacts to that water body, they are also seeking to provide more input and gain a better understanding of the rationale used for the eventual selection of discharge locations. Community members are concerned with the selection of relatively smaller water bodies as discharge locations and the risk of impacts to smaller water bodies that have less assimilative capacity, especially in situations of unforeseen events or emergency effluent discharges. The First Nations seek a more collaborative approach with CNC and the Agency in assessing and selecting the locations of effluent discharge, and in the establishment of effluent discharge parameters and limits. Please refer to the attached supporting document – Impact to water for more general consideration of impacts to water.

Cumulative Effects

The First Nations have a right to their own world view, especially when it comes to assessing the impacts of proposed development on the exercise of rights within their traditional and treaty territories. While the western scientific community seems to think they have stumbled across a novel approach which considers the accumulation of effects caused by development across longer periods of time (AKA Cumulative Effects) instead of taking a short-term siloed approach, having a more holistic perspective is not new. In fact, using a more holistic approach and considering new impacts in the context of historical Cumulative Effects is the foundation of the First Nations' approach to assessing impacts on their rights. Essentially, the First Nations do not agree that the impacts of the proposed Crawford projects have been adequately considered in the context of Cumulative Effects. This is further evidenced by that fact that impacts on all indigenous groups (including TTN, AAN, MNO and WTC First Nations) have been assessed and predicted to be equal regardless of the strength of claim and proximity to the project. In fact, if adequate consideration of Cumulative Impacts had been given, it would clearly demonstrate a greater impact on the Rights of WTC First Nations of Mattagami, Matachewan and Flying Post as those communities have a much stronger strength of claim within their Traditional Territories, the

boundaries of which are determined using pre-treaty (year1906) settlement and land use areas and not modern day land use. Moreover, the degree of Cumulative Impacts within the WTC Nations' territories is greater than that of the other groups, especially if one considers, as mentioned above, the actual locations of the other groups' historical (pre-treaty) areas of settlement and land use. For this reason, it is imperative that the assessment of impacts on the Rights of WTC Nations be more accurately characterized relative to the other Indigenous groups. Please note that the WTC First Nations are currently working on a Cumulative Impacts Visualization tool that they will make available to the Agency as soon as it is updated and available to share publicly. The First Nations expect the Agency will meet with them to review this for incorporation into the Impact Assessment Phase 3.

Socio-Economic Conditions

A qualified member of Mattagami First Nation was hired as a third-party reviewer to conduct a review of Socio-Economic consideration on behalf of the First Nations. Please refer to the attached supporting documentation for more details and recommendations.

Minor Points raised in review of Chapter 7 of the Summary Impact Statement

Table 7.1

TWG Meeting #2 June 19 & 20. Please note that WTC facilitator was on leave during this time and did not participate in the TWG meeting. The First Nations' representatives were not adequately resourced or supported during the TWG and were overwhelmed with the complexity and details of the information being presented. The First Nations were seeking a more collaborative approach that would have provided adequate time and guidance for them to build a deep understanding of the processes and methodology being used in the development of the Impact Statement. For this reason, the First Nations expressed the need for more time and engagement with CNC to build a better understanding of the processes prior to the submission of CNC's Impact Statement (IS), however that did not occur. In fact, the submission was made shortly before the Nations' holiday break, knowing the Nations would have less time to review and have their recommendations incorporated into the IS. Due to lack of collaboration, the First Nations are now struggling to understand, review and provide their recommendations in a timely fashion.

Sec. 7.2.2.

Wabun Tribal Council is not a rightsholder and staff are only mandated to act as facilitators and advisors to our member Nations who are engaging with CNC and IAAC. For this reason, any reference to engagement with our Nations should explicitly list the First Nations as Flying Post, Mattagami and Matachewan and not the tribal council. This ensures each First Nation is appropriately recognized by the agency, the proponent, the public and other rights-holders. Also, WTC serves only five (5) Treaty 9 rights-bearing First Nations.

Sec.7.2.2.1.1 MOU- Follow-up is required with CNC to finalize the amendment to the MOU to include Flying Post First Nation (FPFN). The proposed amendment was made to account for CNC's acquisition of new mineral claims/ properties within FPFN traditional territory and in areas where FPFN members exercise their aboriginal and treaty rights. The MOU information contained in this section is accurate, but should reflect the fact that the same commitments are also made to Flying Post First Nation

Sec. 7.2.4

It is imperative for Flying Post, Mattagami and Matachewan First Nations to raise concerns with the Agency's recognition and engagement with MNO Region 3. The legitimacy of the MNO claims of being a rights-bearing community has been called into question, and by engaging with the MNO at all, or to the same degree as the First Nations is being perceived as an impact to the First Nations treaty Rights.