



February 25, 2025

**Larissa Goshulak**

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Impact Assessment Agency of Canada

*Sent via email: [Crawford@iaac-aeic.gc.ca](mailto:Crawford@iaac-aeic.gc.ca)*

Dear Larissa Goshulak,

**RE: Métis Nation of Ontario, Abitibi Inland Métis Community's Review of the Crawford Nickel Project Impact Statement**

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The following submission is provided to the Impact Assessment Agency of Canada ("IAAC") by the Métis Nation of Ontario ("MNO") Region 3 Consultation Committee. Region 3 of the MNO encompasses the Abitibi Inland Historic Métis Community's Traditional Territory.

The MNO, supported by qualified professionals from Calliou Group and its Lands, Resources and Consultations Department ("LRC"), have completed a review of the Impact Statement ("IS") for the Crawford Nickel Project (the "Project") proposed by Canada Nickel Company ("CNC" or the "Proponent") as part of our ongoing engagement in the regulatory and Duty to Consult processes.

The MNO has been engaging with CNC and the IAAC since 2021 and 2022 respectively. It was important for the MNO to participate in consultation to ensure proper consideration to, and protection of, Métis rights and interests<sup>1</sup> in relation to the proposed Project.

Within our review of the IS, the MNO has identified key comments and concerns for consideration by the IAAC. It should be noted that many of the identified comments and concerns align with those previously raised by the MNO as part of our participation in consultation on the Project and remain outstanding. MNO key IS comments and concerns are detailed below:

## **1. IMPACTS TO MÉTIS RIGHTS AND INTERESTS**

The Project, if approved, will be situated within the MNO Abitibi Inland Historic Métis Community's Traditional Territory and on lands to which Region 3 Citizens historically and currently maintain their Métis rights and way-of-life. Activities proposed under this Project will create impacts to Métis rights and interests that require proper consideration within this regulatory process and direct and proportional accommodation if the Project is approved.

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<sup>1</sup> MNO Region 3 Citizens hold collective Métis rights affirmed and protected under affirmed and protected under Section 35 of the Constitution Act, 1982. The ability to exercise these rights, specifically harvesting rights, within the province of Ontario are further defined based on agreements with the Government of Ontario.

The MNO reviewed Section 6.15 (Indigenous Interests) and Chapter 4 (Indigenous Engagement) of the IS. Within this review, we noted several deficiencies related to Métis rights and interests. Identified deficiencies include:

- Recognition of Métis Rights: The IS does not appear to include proper considerations or recognition of the full scope or breadth of Métis rights and related practices. There also appears to be a failure to understand how conditions created by the Project will result in impacts to Métis rights and interests.

For example, the Project's operations phase is expected to run from April to November. This overlaps with key Métis harvesting periods including harvesting for wild rice, medicinal plants, berries, fish, and wildlife. Operation-related conditions including noise/vibration, increased presence of people, unnatural smells, dust etc. will disrupt harvesting in the vicinity of the Project.

Another example of operations impacting Métis rights and way of life is the construction and maintenance of ice roads. The presence of these roads can impact Métis ice fishing routes.

- Meaningfulness of Consultation: The IS references "Nation-specific agreements" (Section 6.15) in a manner that could be interpreted as to imply that the presence of these agreements equals meaningful consultation or even consent of the Project by the Nations in question. The MNO notes that consultation capacity agreements are generally established to support participation in consultation activities, including information gathering and impact identification, they are not accommodation agreements, nor do they automatically equate to meaningful consultation.

The MNO previously outlined Project-impacts and concerns to Métis rights and interests, within an MNO Project Impact Study provided to CNC and IAAC in June 2024. This input needs to be more explicitly represented in the IS.

- Direct and Proportional Accommodation for Impacts: How meaningful a consultation process ends up being is dependent upon the proponent and the Crown specifically considering and acting upon the information shared by the Indigenous nation. The IS does not appear to have specific and proportional mitigation or accommodation measures to address Project-impacts to Métis rights and interests.

Further, proposed biophysical mitigation measures (e.g., Fish Habitat Offsetting Plan, Traffic Management Plan) do not appear to have considered how biophysical impacts also create impacts to Métis rights and interest, nor do they appear to include Métis knowledge. For instance, there is no commitment to involve Métis harvesters in designing offsetting measures or monitoring water quality in fishing areas. Further, there are no guarantees that reclaimed habitats will support continuation of Métis practices (e.g., berry picking).

- Consideration for Métis Knowledge, Rights or Interests in Biophysical Assessments: The baseline studies in the IS do not include specific references to Métis knowledge or Métis rights and interests. For example, The Fish Health Assessment outlined in Section 6.8.

- Monitoring and Follow-Up: In previous engagement with CNC, the MNO indicated its desire to be involved in monitoring or any follow-up assessment activities. Despite this, follow-up

programs such as air and water quality monitoring detailed in Chapter 12, does not identify including of the MNO.

- Over-Classification of Reversible versus Irreversible Damages: Over classifications of reversible versus irreversible damages are rampant throughout. For instance, the IS dismisses community perceptions of land damage post-closure, despite evidence that former mining sites are often perceived as irreparably harmed. Perception among community members is more important than studies when it comes to determining effects. This discrepancy needs to be recognized and adequately addressed in the IS.

Additionally, we note that the MNO has identified several recommendations to address identified impacts to Métis rights and interests-related comments and concerns. Including:

- Revise IS and related schedules and plans to include specific and explicit consideration to Métis rights and interests and Project impacts and concerns including those identified in the MNO Project Impact Study (June 2024).
- Work with the MNO to establish and support a Métis-led Environmental Monitoring Committee with decision-making authority.
- Work with the MNO to identify direct and proportional accommodation measures to address Project impacts to Métis rights and interests. This may include elimination measures, or reduction measures and control measures.
- In collaboration with the MNO, identify and include Métis-specific performance indicators for mitigation. An example indicator could include percentage of reclaimed land accessible for harvesting and maintenance of water quality in Métis fishing areas.
- In collaboration with the MNO, identify and include Métis-specific performance indicators in follow-up programs (Chapter 12), such as tracking fish health in traditionally harvested waterbodies.
- Work with MNO and CNC to separately meet to discuss further relationship or impact benefit agreement to accommodate for Project effects, if approved.
- Clarification is required from CNC to determine the purpose of these nation-specific agreements and which Nations they are and are not with. Further, IAAC should note that capacity funding is not accommodation for impacts to Metis rights and interests from the proposed Project.

We note that any further activities, including those identified in our recommendations will require capacity funding to support meaningful participation by the MNO.

## 2. CUMULATIVE EFFECTS

The MNO conducted a review of Chapter 7 (Cumulative Effects Assessment) of the IS and identified significant shortcomings. The assessment's scope is overly narrow, focusing exclusively on select areas—such as the Bradshaw mine—while neglecting the broader Timmins mining complex, which includes dozens of existing and planned projects. This limited perspective renders nearly all conclusions in this chapter (i.e., Chapter 7) inaccurate, as it disregards the cumulative impacts of regional development.

Moreover, future projects are inadequately considered. For instance, CNC's website lists several potential nickel projects in the area, stemming from its own and subsidiary claims. The Cumulative Effects Assessment fails to account for these foreseeable activities, undermining its utility in predicting long-term regional changes.

It is our position that the Cumulative Effects Assessment is a critical component of the IS, as it must evaluate how the Project's residual adverse effects interact with those of past, present, and reasonably foreseeable future activities. However, the current assessment lacks detailed analysis of these interactions, weakening the understanding of broader environmental, social, and economic impacts.

The MNO is deeply concerned about the cumulative effects of regional development on Métis rights and cultural practices. In the vicinity of the Project, there are notable amounts of ongoing and anticipated human activity. The combined effects of all development in the area impact the land and resources and diminishes the ability of Métis to exercise rights and complete practices critical to Métis way-of-life. As such, the overlapping effects of the Project with the effects of other past, present, and potential future projects must be considered.

We note that the MNO has previously outlined Project-impacts and concerns, including ones pertaining to cumulative effects, within an MNO Project Impact Study provided to CNC and IAAC in June 2024. This input needs to be more explicitly represented in the IS.

While the cumulative effects assessment identifies overlapping projects (e.g., mining, transportation, power infrastructure), it does not explicitly evaluate how these activities collectively impact Métis rights and way-of-life over time. For example:

- Fragmentation of wildlife or fish habitats, wildlife corridors, or vegetation critical for Métis harvesting or cultural purposes.
- Disruption or destruction of travel routes used for cultural Métis harvesting or cultural purposes.
- Alterations to waterways (e.g., North Driftwood River diversion, hydroelectric dams) impacting fish populations harvested by Métis (e.g., walleye, northern pike).
- Cultural heritage sites, or spiritual landscapes valued by Métis such as sacred sites may be affected by increased industrial activity near culturally significant areas (e.g., waterways, portages, ceremonial sites, burial sites etc.).

- The potential impacts to the local watershed are greatly downplayed. Groundwater is likely to be impacted, and there is little to no mention of measures to offset these impacts.
- There are very few bird, mammal, herpetofauna or insect offsets or considerations and the assessment of positive impacts from the project is questionable. For example, simply not clearing during the nesting season represents the lowest possible mitigation standard and does nothing to offset the losses. The plan even indicates that there will be less habitat post-closure yet paradoxically highlights positive outcomes associated with this phase.
- There are no MNO-specific fish offsets, and limited offsets in general, despite the importance of aquatic species and traditional harvesting practices.
- Similarly, impacts to mammals are being framed as low and ultimately positive during decommissioning. This is at odds with reality given that habitat fragmentation and disturbances can have severe, long-term impacts on both large mammals and small mammals (e.g., rodents, which can only flee so far).

Additionally, there are other gaps in the IS' cumulative effects assessment of biophysical components that make it difficult to really ascertain the breadth or scope of Project impacts to Métis rights and the environment. Gaps include:

- Groundwater and Surface Water: The potential for groundwater drawdown and surface water quality changes is noted, but the extent and magnitude of these effects are described as uncertain due to unknown water management plans of future projects. This uncertainty could lead to unforeseen impacts on water resources in the region. Moreover, the impact of the North Driftwood Diversion Channel and effluent discharges on long-term water quality should be assessed more rigorously, particularly for cumulative contamination risks involving arsenic, mercury, and nitrogen.
- Fish and Fish Habitat: Cumulative effects on fish habitat and health are anticipated due to overlapping impacts from other mining projects. While mitigation measures are proposed, the long-term viability of fish populations, especially species at risk, remains a concern.
- Legacy/Closure Issues: The Project's 100+ year "passive closure" phase, as detailed in Section 2, raises concerns about intergenerational equity. For example, there is potential long-term leaching of contaminants (e.g., arsenic, nickel) from the contemplated Tailings Management Facility could affect future Métis land use. Or, relocated highways or rail lines may permanently alter travel routes used for Métis cultural practices.
- Vegetation, Riparian, and Wetland Environments: The Project is expected to disturb a significant area of vegetation and wetlands. What is not properly considered is how the Project combined with future forestry activities could result in a cumulative loss of habitat, affecting biodiversity and ecosystem.
- Climate Change and Revegetation: The revegetation plan does not consider the impacts of climate change. It is extremely unlikely that the forests that will be cut down will grow back in a similar manner as they will not be growing under the past or even current climatic conditions. Additionally, the phrase "applying industry standard management practices" for

plant management is ambiguous and requires clarification. Further, if the proposed sequestration is not as effective as designed the project would no longer be a carbon sink and this outcome should be planned for.

The MNO has identified several recommendations to address identified cumulative effects-related comments and concerns. Including:

- Expand the Scope of the Cumulative Effects Assessment by incorporating the Broader Timmins Mining Complex and Integrating MNO’s June 2024 Project Impact Study.
- Assess interactions with past, present, and future forestry, mining, and hydro developments in collaboration with the MNO to ensure proper consideration to Métis rights and interests within assessment.
- Conduct a Métis-led cultural landscape assessment to identify and protect sensitive areas. This could then be incorporated into the baseline data.
- Develop a Métis-specific monitoring framework for post-closure phases, including youth/Elder involvement.
- Conduct more detailed and specific studies on the cumulative impacts on groundwater and surface water.
- Provide long-term water quality modeling to assess regional contamination risks.
- Ensure robust monitoring and adaptive management programs to address uncertainties and potential cumulative effects on fish populations and their habitats.
- Improve offsets plans for birds, mammals and fish and consult with the MNO on these plans.
- Assess the impact of long-term tailings leaching and habitat fragmentation on Métis land use.
- Develop comprehensive mitigation plans for cumulative habitat loss and fragmentation, focusing on preserving critical habitats and enhancing ecosystem resilience.
- Engage in extensive consultations with the Métis Nation of Ontario to develop strategies that mitigate cumulative impacts on Indigenous rights and interests, including cultural heritage and traditional land use.
- Enhance climate change considerations in revegetation plans and define “industry standard management practices”. Further, CNC should develop additional carbon offsets if it is shown that the sequestration potential of the Project is less than expected.

As previously noted, any further activities, including those identified in our recommendations will require capacity funding to support meaningful participation by the MNO.

### 3. COMMUNITY WELL-BEING

The MNO reviewed Sections 6.12: Health, 6.13 (Social Conditions), and Chapter 4 (Indigenous Engagement) of the IS. Within this review, we noted a lack of explicit consideration to Métis community well-being relevant to specific effects identified. This includes:

- Housing and Cost of Living: The Project anticipates an influx of non-local workers (peak of 1,600 non-local workers), which could exacerbate housing shortages and inflate rental costs in nearby communities (e.g., Timmins, Cochrane). While the IS mentions studying accommodation options (Section 6.13), there is no Métis-specific analysis of how these pressures might disproportionately affect low-income Métis families or urban Métis populations and how Métis families—particularly low-income households—will compete with high-earning workers for rentals. It should also be noted that Timmins is currently experiencing a housing crisis with very limited housing availability, high housing costs and low childcare spaces. All of which is likely to be exacerbated by this project especially for Métis citizens.
- Social Services and Infrastructures: The Project is expected to increase the demand for services and infrastructures, potentially leading to increased strain or additional barriers to access of those services or infrastructures. This could increase the risks to health and well-being of MNO Citizens. Of particular concern are the impacts to education services which are already being pushed to their limits across the region. Staff shortages and limited spaces, especially for higher needs students, are prevalent and this is likely to become more severe as the region develops. For context, the Timmins region, including the Porcupine and Timiskaming Health Unit areas, have the lowest social determinants of health in Ontario and limited access to Primary and Specialized Care which further compounds these concerns.
- Safety and Security: The presence of a large workforce may lead to increased safety risks to MNO Citizens, particularly Métis women, girls, or two spirit. The assessment acknowledges the potential for increased human trafficking and violence against women and girls but does not include details on specific considerations or measures to protect Métis women, girls, two spirit Citizens and 2SLGBTQIA+ people in general. Some of the most critical concerns are a lack of Indigenous emergency housing which are essential during times of crisis; an active drug trafficking network –which will have more clients and more money as the region develops— that is using Timmins as a distribution hub with the second highest fatal overdose rate in the province; and a generally high crime rate. All of these are likely to increase with population and a transient, highly paid population further exasperates this.

Moreover, there are increased risk of MNO Citizens facing racism or discrimination through interactions with transient workforce members. For example, a Métis harvester hunting near the Project site may risk being harassed due to overt or inherent racism or general a lack of understanding of Métis rights.

- Food Security: Changes in land use and potential contamination of traditional food sources could affect food security and dietary habits of MNO Citizens that rely on foods that they harvest or that is harvested on their behalf. A decline in food security from harvested foods, will lead to economic strain on our Citizens who are now required to rely more on foods from the grocery store.

In addition, increases of contaminants (e.g., mercury and arsenic) from the Project could bioaccumulate within harvested resources such as fish, wildlife, or vegetation, in fish and

wildlife, making them unsafe for consumption. Generally, the MNO has found that proponent-led studies conducted to understand risks to human health from contamination of resources does not properly account for the frequency of consumption by MNO Citizens. Further, these studies don't account for perceptions leading to effects. For example, if an MNO Citizen perceives that a deer is contaminated because of development, they will still not eat that deer regardless of whether it is actually safe to consume.

Another important consideration is that the regional community practices community, family and individual harvesting and the impacts are different for each one. This is seemingly all lumped together in the IS and this is not typically preferred by the community or by past consultation with the government. For example, if the community perceives that the aforementioned deer is not safe but the person who hunted the deer believes that it is safe, community harvesting has been heavily impacted but individual harvesting may be less so

- Economic Benefits: The MNO recognizes that industrial development can positively affect the economy by creating employment opportunities and work contracts for those living in the area, as well as increased commerce in towns located near projects. However, the distribution of these benefits is typically unequal. Métis are often more negatively impacted by industrial development (i.e., direct and indirect impacts to their rights and way of life) and receive fewer benefits regarding economic impacts. MNO Citizens and Métis-owned businesses should be prioritized by companies for contracts and opportunities to support industrial development projects.
- Emergency Response: Emergency response plans need to explicitly consider the potential of Métis harvesters and cultural practitioners within the area of the Project. There will need to be specific steps taken to ensure that they are properly protected in the event of an incident.

The MNO has identified several recommendations to address identified community well-being-related comments and concerns. Including:

- Conduct a Regional Housing Impact Study to determine how the Project could affect housing availability.
- In partnership with the MNO, provide funding for affordable housing initiatives to offset increased demand. A similar program for childcare would also be beneficial
- Develop and implement comprehensive health and social services plans to address the increased demand and minimize any associated risks to health and well-being.
- In partnership with MNO, meet with the relevant school boards and Indigenous education organizations to determine the scope of these impacts and find a solution to mitigate these impacts as best as possible.
- Work with the MNO to establish and support Métis-led programs like land-based healing camps or traditional food security initiatives.

- Establish community safety initiatives and MNO-specific safety initiatives, including partnerships with local law enforcement and social service providers, to mitigate risks associated with potential increased crime rates and protect vulnerable populations. Risks to women, 2SLGBTQIA+ individuals and other such groups should be included within this.
- Work with the MNO to develop and deliver anti-racism training to all employees and contractors.
- Collaborate with the MNO to conduct a long-term food monitoring program to track contamination levels in fish, wildlife, and vegetation.
- Consult with the MNO to identify and implement measures to safeguard traditional food sources and ensure food security, including monitoring and managing potential contamination risks. Special attention should be paid to community, family and individual harvesting and their unique concerns should be addressed.
- Prioritize hiring or contracting of Métis employees or contractors and identify additional initiatives to address economic benefit inequities. Moreover, providing training and retraining for MNO citizens, especially youth, would be an excellent way to ensure that MNO citizens benefit more equally from such projects.
- Work with the MNO to establish and support Métis-led food security program to address disruptions to traditional harvesting.
- Consult with the MNO to develop Métis-specific emergency response protocols.

As previously noted, any further activities, including those identified in our recommendations will require capacity funding to support meaningful participation by the MNO.

It is the expectation of the MNO that the comments provided will be directly considered and explicitly incorporated into all reviews, responses, or other decision making-related actions or documents in this regulatory process. We will look to the IAAC to ensure any outstanding concerns are addressed and to provide specific details on how information shared was meaningfully considered or any rationale for why it was excluded.

Please let us know if you have any questions or would like to discuss our comments further.

Sincerely,

<Original signed by>

Jacques Picotte

Region 3 Councillor for the Provisional Council of the Métis Nation of Ontario, and Chair of the Abitibi Inland Historic Métis Community Consultation Committee

Cc: Abitibi Inland Historic Métis Community Consultation Committee

Lorette McKnight, President Timiskaming Métis Community Council

David Hamilton, President Chapleau Métis Community Council

Pierre Lefebvre, President Timmins Métis Community Council

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Andre Lefebvre, Captain of the Hunt for MNO Region 3