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10 June 2026

Impact Assessment Agency of Canada

By email: Crawford@iaac-aeic.gc.ca

Re: Crawford Nickel Project, Draft Impact Assessment Report, IAAC Registry No. 83857

Dear IAAC Team:

The Ontario Rivers Alliance (ORA) is a not-for-profit grassroots organization with a mission to protect, conserve, and restore Ontario rivers. ORA advocates for effective policy and legislation to ensure that development affecting Ontario rivers is environmentally and socially sustainable.

ORA submits these comments on the Draft Impact Assessment Report (Draft IA Report) for the Crawford Nickel Project (the project), released May 11, 2026.

The project is located in the Mattagami River watershed, a watershed of central importance to Treaty 9 First Nations and to the ecological integrity of the James Bay drainage basin. ORA submits these comments in support of the position of Apitipi Anicinapek Nation (AAN) and in the public interest.

Enclosed are our detailed comments and recommendations to the Impact Assessment Agency of Canada ("Agency"/"IAAC"), which were informed by our legal counsel's review and build on our prior comments made during the Impact Statement phase. This submission sets out a range of serious shortcomings and issues that carry the greatest risk of irreversible harm to Ontario rivers and to Treaty 9 rights, including:

- The inadequacy of economic sustainability as the sole basis for approval;
- The incomplete Crown consultation record; the absence of free, prior and informed consent from the most directly affected First Nation;
- Outstanding information gaps regarding mercury methylation and water quality, waste rock leaching, seepage and effluent treatment;
- The unresolved fish habitat offsetting plan, tailings dam safety;
- The exclusion of climate change from the cumulative effects analysis;
- Significant and outstanding concerns regarding boreal caribou and impacts to their critical habitat;
- Impacts of chrysotile asbestos and community air quality; and
- The completeness of the consultation record.

From the outset, we also wish to remind the Agency that the federal government's own 2026 nature strategy estimates Canada's ecosystem services at $3.6 trillion, more than double the country's 2018 GDP. The carbon stored in Canada's protected areas alone is valued at $20.7 trillion at today's industrial carbon price, roughly 10 times the combined value of Canada's global mining, energy, and farm sector assets.[1]

Approving a project that produces, admittedly, significant adverse effects on fish habitat, migratory birds, and Indigenous rights, and whose climate contribution is uncertain and undemonstrated, on the single basis that it contributes to sustainability "to a low to moderate extent" is not a defensible application of the *Impact Assessment Act*. It reduces the public interest test to an economic ledger, one that does not count the water, the fish, the birds, or the Treaty rights on either side of the scale.

The ORA therefore calls on the Agency and the Minister of Environment and Climate Change Canada ("Minister") to reject the Draft IA Report and ensure an approach that requires both economic and ecological sustainability be demonstrated before any approval is granted. The Draft IA Report's conclusions and draft conditions are not sufficient to meet the enumerated factors the Agency must take into account under sections 22 and 63 of the *Impact Assessment Act* ("*IAA*"). As a result, lacking the requisite basis to confirm compliance with the *IAA,* the Draft IA Report cannot proceed to the Minister, such that they can reasonably conclude that the significant adverse federal effects are justified in the public interest, per section 62 of the *IAA*.

1. Background: Project Scale and ORA's Interest

The Crawford Nickel Project is proposed by Canada Nickel Company Inc. for a site 42 kilometres north of Timmins, Ontario. As proposed, the project would be one of the largest base metal mines in Canada. The project area spans approximately 118 square kilometres, with an open pit up to 690 metres deep, a tailings management facility, and an impoundment facility up to 115 metres high. The mine would operate for approximately 41 years, with passive closure extending beyond 100 years.[2]

The project footprint lies within both the Mattagami River and Abitibi River watersheds. The North Driftwood River is a direct tributary of the Abitibi River. The West Buskegau River flows into the Frederick House River, which is itself a tributary of the Abitibi River. Jocko Creek is a headwater tributary of the Mattagami River. These three rivers are the receiving waters for mine effluent and are the primary pathways of effect on fish, aquatic habitat, Indigenous harvesting rights, and downstream communities. The Mattagami flows north, and the Abitibi flows northwestward, both into the Moose River, which drains into James Bay. Moose Cree First Nation, whose traditional territory the Abitibi River flows through, has expressed concern about the effects of project effluent on downstream water quality.[2]

ORA filed comments on the project's Impact Statement Summary in February 2025, raising concerns about cumulative effects, effluent receiver selection, mercury methylation, the unproven In-Process Tailings Carbonation technology, and the absence of United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP") commitments.[3] Many of those concerns are confirmed and amplified by the Draft IA Report. Several remain unresolved. This submission focuses on the issues that carry the greatest risk of irreversible harm to Ontario rivers and to the rights of Treaty 9 First Nations.

2. ORA Supports AAN's Position

The ORA submits that AAN has an authoritative voice on what this project will do to Treaty 9 territory, recognizing that its members have lived in relationship with these lands and waters for generations. AAN assessed the project's impacts on its rights as adverse in direction, high in magnitude, long-term to permanent, extending to the entire regional study area, continuous in duration, and irreversible.[4]

"The adverse impacts from this project will persist for generations. They will not end when the mine closes. They will live in the bodies, waters, and memories of AAN members, and in their permanently changed relationships with the land."[4]

AAN's conclusion is direct:

> "Based on the available evidence, the proposed project appears so harmful and so economically marginal and uncertain, unless all of the AAN proposed mitigation measures are adopted by the proponent or Crown, it should likely not be approved."[4]

ORA concurs. AAN's assessment draws on decades of documented experience with mining projects in its territory,[5] a 2023 cumulative effects study finding 62.8% of southern AAN territory affected under a high-impact scenario, and direct Indigenous Knowledge of the North Driftwood River, West Buskegau River, Jocko Creek, and the Mattagami system.[6] AAN has observed, on many mining projects in its territory, that environmental impacts consistently exceed what was predicted during the assessment phase, even when proponents remain compliant with permit conditions.[4]

IAAC's own report rates AAN's impacts overall as "high" and acknowledges that IAAC and AAN reach different conclusions. The Draft IA Report includes AAN's rights impact assessment in full as Annex 3, and ORA urges the Minister to give that assessment full weight. Such an approach is necessitated by section 22 of the *IAA* that requires the Agency to take into account:

> **22(1)(c)** the impact that the designated project may have on any Indigenous group and any adverse impact that the designated project may have on the rights of the Indigenous peoples of Canada as recognized and affirmed by section 35 of the Constitution Act, 1982;
>
> **22(1)(l)** considerations related to Indigenous cultures raised with respect to the designated project;

We remind the Agency that as this project engages constitutionally protected Indigenous rights - and the Honour of the Crown and the duty to consult are triggered whenever the Crown contemplates action that may adversely impact established or asserted Aboriginal or Treaty rights - the Crown and proponent have an obligation to collaborate with Indigenous Nations, in good faith. This is required by UNDRIP and the *United Nations Declaration on the Rights of Indigenous Peoples Act*, SC 2021, c 14 ("UNDA"). Thus, where IAAC's quantitative ratings diverge from AAN's, the benefit of the doubt should favour the people whose rights, health, and culture are at stake, not the proponent. The Draft IA Report ought to also ensure its conclusions are consistent with Canada's commitments and that free, prior and informed consent be provided before a decision is made as to whether the project should proceed.

Recommendation 1: The Agency must ensure the Draft IA Report provides a reliable basis for assessing impacts on s 35 Constitutional rights and that the IA has been done in accordance with the rights-based approach required by UNDRIP. AAN's assessment must be relied on by the Agency and where differing conclusions are reached, the Agency must give full weight to the Indigenous-led assessment conducted by AAN.

3. Economic Sustainability Cannot Stand Alone: The Ecosystem Services Case

When significant adverse federal effects are found, Section 63 of the *Impact Assessment Act IAA* allows them to be justified in the public interest only after weighing three factors: the impact on Indigenous Peoples and their rights; the extent to which the project helps or hinders Canada's environmental obligations and climate commitments; and the extent to which the project

contributes to sustainability. On the Draft IA Report's own findings, only one of those three factors is positive, and only weakly.[2]

The first factor is adverse. IAAC concludes the project is likely to cause adverse impacts to the exercise of AAN's rights recognized and affirmed by Section 35 of the Constitution Act, 1982, including the rights to hunt and trap, fish, harvest plants, and maintain cultural continuity and governance.[2] The second factor cannot justify the project: IAAC finds the project does not contribute to Canada's environmental obligations, because adverse effects on fish, birds, wildlife, wetlands, and species at risk remain after mitigation, and that any positive contribution to Canada's climate commitments is uncertain and not demonstrated, because the In-Process Tailings Carbonation technology is unproven and the project will not meet Canada's 2030 targets.[2] Only the third factor, sustainability, is positive, and IAAC rates it only as a low to moderate contribution.[2]

This is a striking imbalance. The single factor carrying the recommendation to approve is the weakest of the three, and even it succeeds only to a low to moderate extent. ORA submits that one weak positive factor cannot justify significant, permanent, and irreversible adverse effects when the other two factors are adverse or unmet.

The sustainability analysis is also incomplete because it counts only one side of the ledger. Canada's own federal government, in its 2026 nature strategy, estimates the value of ecosystem services, meaning the direct and indirect contributions of nature to well-being and quality of life, at $3.6 trillion, more than double Canada's 2018 GDP.[1] That figure reflects water filtration, flood attenuation, the carbon stored in boreal peatlands and wetlands that serve as global carbon sinks, carbon sequestration, biodiversity support, and the subsistence, cultural, and spiritual values of land and water to Indigenous Peoples. These are not abstract values. They are the foundation of the economy the Draft IA Report is trying to protect.

At Canada's current industrial carbon price of $110 per tonne, the carbon stored in Canada's protected forests, peatlands, wetlands, and seabeds is valued at $20.7 trillion, roughly 10 times the combined value of Canada's global mining, energy, and farm sector assets.[1] The boreal wetlands, riparian corridors, and watercourses within the project's 11,785-hectare footprint are part of that asset base. Once overprinted by an open pit, a tailings management facility, and a 115-metre impoundment facility, they are gone. The Draft IA Report does not assign a dollar value to what is being destroyed, yet it assigns a "low to moderate positive" value to what is being gained.

A Canadian Parks and Wilderness Society analysis found that every dollar spent on protected areas generates more than $3.50 in visitor spending, that protected areas generated $1.4 billion in tax revenues in 2024, comparable to the forestry industry, and that more than 150,000 Canadians work in protected and conserved areas, many in Indigenous, rural, and remote communities where unemployment is high.[1] These numbers apply to intact natural areas. They disappear when those areas are consumed by industrial mining.

The Draft IA Report's sustainability conclusion rests on the proponent's economic projections, which AAN characterizes as "economically marginal and uncertain." Nickel prices are volatile, ore grades are low, and Canada Nickel Company has not made a final investment decision. IAAC itself notes the economic benefits for Indigenous communities are "expected to help reduce adverse effects on Indigenous Peoples," a conditional and aspirational statement, not a demonstrated outcome.[2]

The sustainability finding is weaker still because it rests on a technology that does not yet work at scale. The project is marketed as a carbon storage hub, but its claim to net-zero and even net-

negative emissions depends on In-Process Tailings Carbonation, a process Natural Resources Canada itself describes as relatively new and lacking certainty, with unresolved questions about carbon dioxide sourcing, delivery, and sequestration pricing.[2] The risk of crediting unbuilt carbon technology is not hypothetical. In May 2026, the Oilsands Alliance (formerly the Pathways Alliance), the backers of what was promised to be the largest carbon capture project in the world, quietly cut their central pledge from capturing 68 megatonnes of emissions a year to 16, a 77 percent reduction, in their finalized agreement with the federal and Alberta governments.[7] Sean McCoy, a carbon-capture engineer at the University of Calgary, observed that the retreat reflects cost and deliverability, not any change in the science: "I bet 99 percent of what we know today about capturing carbon dioxide ... we knew in 2021."[7] If Canada's largest and best-funded carbon capture project cannot hold its target, IAAC should not treat Crawford's novel and unproven In-Process Tailings Carbonation as a demonstrated climate benefit. A sustainability case built on unproven carbon accounting, marginal project economics, and uncounted ecosystem losses cannot bear the weight of a public interest justification.

You cannot have economic sustainability without ecological sustainability. A watershed degraded by sulphate-driven mercury methylation, seeping tailings, and 116 hectares of lost fish habitat cannot support the fisheries, wild foods, and cultural practices that sustain Indigenous communities, the tourism and recreation economy, or the long-term freshwater security on which all development in Northern Ontario depends. The Minister must require both economic and ecological sustainability to be demonstrated before any approval is granted.

Recommendation 2: The Minister must find that a "low to moderate" economic sustainability contribution, assessed without accounting for the full monetary value of lost ecosystem services, does not meet the Section 63 sustainability justification threshold for the scale of adverse effects found in this assessment.

Recommendation 3: IAAC must commission an ecosystem services valuation for the 11,785-hectare project footprint, including carbon storage, water filtration, flood attenuation, and Indigenous cultural and subsistence values, before the IA Report is finalized. The results must be weighed against the proponent's economic projections in the sustainability analysis.

4. Crown Consultation Is Incomplete: The Duty to Consult Determination Must Be Finalized Before Approval

The Draft IA Report contains the following statement:

> "At the time of this Draft IA Report, IAAC's views are preliminary regarding whether the Crown's record of consultation demonstrates a meaningful and adequate process for the duty to consult."[2]

This is an extraordinary admission. The Draft IA Report recommends that the project proceed to the Minister for a public-interest determination while simultaneously acknowledging that the adequacy of the Crown's consultation has not yet been assessed. ORA submits that a final IA Report cannot be issued, and a public interest determination cannot be made, until a complete and defensible duty to consult analysis is published and subject to public comment.

The consultation record is further undermined by the fact that AAN, the Nation most directly affected, has not provided consent. The Draft IA Report states:

> "As of the time of publishing this draft Impact Assessment Report, IAAC has not received such statements formally from Indigenous communities."[2]

The only community that has expressed written support is Taykwa Tagamou Nation, which holds equity in Canada Nickel Company and has a Board seat.[2] This financial relationship raises a serious question about whether Taykwa Tagamou Nation's support constitutes free, prior and informed consent, as FPIC requires consent that is independent of the proponent's interests.

AAN requested a Joint Review Panel with a majority Indigenous composition in March 2023. The Minister declined, establishing a technical working group instead. The Draft IA Report does not assess whether the denial of the JRP, and the substitution of a process that does not include independent Indigenous decision-making authority, affected the adequacy of Crown consultation for AAN. This gap must be addressed.

AAN also has pending Ontario Superior Court litigation asserting jurisdiction over decision-making in Treaty 9 territory. The Draft IA Report does not address how that litigation interacts with the federal public interest determination. ORA submits that the Minister cannot make a final decision while constitutional questions about decision-making authority in Treaty 9 territory remain before the courts.

Recommendation 4: The Minister must not make a final public interest determination until IAAC has published a complete duty to consult analysis and that analysis has been subject to public comment.

Recommendation 5: The Minister must require IAAC to assess the adequacy of consultation specifically with AAN, including whether the denial of a Joint Review Panel with a majority Indigenous composition compromised the adequacy of the Crown's consultation process.

Recommendation 6: FPIC from the most directly affected First Nation must be a condition precedent, not a follow-up commitment. The absence of consent from AAN, which has explicitly stated that the project should likely not be approved, must be treated as a material fact in the public interest determination.

5. Mercury Methylation and Water Quality: Precautionary Conditions, Not Post-Hoc Monitoring

ORA raised mercury methylation from sulphate-driven methylation as a key concern in its February 2025 submission. The Draft IA Report confirms that both the Ministry of Natural Resources and Forestry and the Ministry of Environment, Conservation and Parks have identified mercury methylation from elevated sulphate discharges as a pathway of concern.[2] The concern is not theoretical.

As ORA noted in its submission on the Great Bear Gold IS Summary (IAAC Registry, May 2026), the Ontario Land Tribunal granted Asubpeeschoseewagong Anishinabek (Grassy Narrows) leave to appeal Kinross Gold water-taking permits in 2025, finding that "no reasonable person" would have issued those permits given the documented sulphate-to-methylmercury pathway in the receiving environment.[89] The same scientific mechanism, sulphate from mine effluent stimulating sulphate-reducing bacteria, which in turn methylate ambient inorganic mercury, applies here.[10]

The Draft IA Report acknowledges that existing mercury levels in fish within the local study area already exceed safe consumption thresholds, and that no consumption advisories were in place at the time of writing.[2] Discharging elevated sulphate concentrations into a receiving environment with documented mercury concerns, without first demonstrating that methylmercury will not increase to harmful levels, inverts the precautionary principle. ORA's earlier recommendation, that the effluent receiver alternatives, including the Mattagami River, be reassessed, becomes

more urgent in this context: the Mattagami's greater assimilative capacity would reduce the sulphate concentration reaching fish habitat.[3]

The Draft IA Report proposes a fish tissue sampling program as the primary response to the methylmercury risk. Monitoring after contamination occurs is not a substitute for preventing contamination. By the time methylmercury appears in fish tissue at harmful levels, the damage to Indigenous harvesting rights, traditional food security, and intergenerational knowledge transfer is already done. AAN has been direct about this:

> "Even the perception of contamination causes widespread avoidance of fishing, exacerbating food insecurity, cultural loss, and erosion of intergenerational knowledge."[4]

A comprehensive study of mercury and its effects on human health and the environment throughout the full lifespan of the project, including legacy contamination, remains outstanding. This ought to be undertaken recognizing Canada's commitments under the *Minamata Convention on Mercury* to protect human health and the environment from anthropogenic emissions of mercury and its compounds.[11]

The mixing zone analysis adds to these concerns. Under worst-case conditions, the effluent mixing zone in the North Driftwood River extends up to 87 kilometres downstream, and 41 kilometres in the West Buskegau River, for iron and phosphorus. Ontario and ECCC have independently stated that even these estimates likely understate effects based on the modelling approach.[2] IAAC acknowledges the proponent "has not demonstrated how" a realistic mixing zone of a few hundred metres "would be achieved with their current proposal." This is a core, unresolved issue in the assessment.[2]

Recommendation 7: The proponent must demonstrate compliance with the *Minamata Convention on Mercury* to protect human health and the environment from anthropogenic emissions of mercury.[11]

Recommendation 8: As a condition of any approval, the proponent must demonstrate, prior to any effluent discharge, that sulphate concentrations in all receiving waters will not stimulate mercury methylation to levels that exceed safe fish consumption thresholds. This demonstration must be reviewed by DFO, ECCC, MECP, and affected First Nations before discharge commences.

Recommendation 9: IAAC must not defer the mixing zone question to future provincial permitting. The effluent characterization and mixing zone analysis must be completed and validated before the IA Report is finalized.

Recommendation 10: IAAC must assess whether discharging to the Mattagami River, which has greater assimilative capacity, would reduce risks to fish and to Indigenous harvesting rights, as ORA recommended in its February 2025 submission.

6. Waste Rock Leaching, Seepage, and Effluent Treatment: Effectiveness Not Demonstrated

The Draft IA Report does not demonstrate that the project's mitigation will keep contaminants out of the receiving rivers. Its waste-rock plan rests on a prediction that the rock is "generally non-acid-generating with low metal-leaching potential," with confirmatory testing, and any isolation or encapsulation of acid-generating rock, deferred to operations and to a closure plan under Ontario's Mining Act.[2] "Low" is not "none," and the contaminants of concern that ECCC and Natural Resources Canada identify for this deposit include aluminum, arsenic, hexavalent chromium, cobalt, copper, selenium, uranium, vanadium, zinc, nitrate, and nitrite.[2]

The effluent treatment plan is described only in general terms, contact water collected and "treated in effluent treatment plants before final discharge," with no treatment technology, performance standard, or removal efficiency specified.[2] The enforceable effluent criteria are not set in this assessment at all; the Draft IA Report defers them to a future provincial Environmental Compliance Approval.[2] An impact assessment that recommends approval cannot leave the effectiveness of effluent treatment, and the criteria that treatment must meet, to be determined later and outside public review.

The seepage pathway is the clearest gap. By the proponent's own prediction, several contaminants, nitrate, nitrite, boron, cobalt, selenium, uranium, vanadium, and phosphorus, are expected to exceed thresholds protective of aquatic life at the seepage face, which the proponent discounts on the basis that the seepage face "is not fish habitat."[2] ECCC rejected that reasoning. Its own hazard-quotient analysis identified risks to aquatic organisms for hexavalent chromium, cobalt, copper, nitrate, nitrite, selenium, uranium, vanadium, and zinc at multiple points along the North Driftwood and West Buskegau Rivers, found the seepage face could be fish habitat, and concluded the seepage would constitute a deposit of a deleterious substance into fish habitat, which the Fisheries Act prohibits. Ontario and NRCan both found the proponent underestimated the extent of seepage.[2] IAAC's response is once again a follow-up monitoring program, the same after-the-fact approach ORA rejects for mercury.

ORA strongly supports AAN's required measure that effluent discharge criteria "must approach or meet background water quality conditions at the point of discharge, particularly for sulphate, metals, and pH, through application of best available treatment technologies and adaptive management."[4] On a deposit whose own seepage is predicted to exceed aquatic-life thresholds for cobalt, selenium, uranium, and vanadium, nothing less than best available treatment to background conditions, demonstrated before approval, is consistent with the precautionary principle or with the Fisheries Act.

Recommendation 11: The treatment technology and enforceable, receiver-based effluent criteria for the project must be defined, and their effectiveness demonstrated, within the impact assessment, not deferred to a future provincial Environmental Compliance Approval.

Recommendation 12: ORA strongly supports AAN's requirement that effluent discharge criteria approach or meet background water quality conditions at the point of discharge, particularly for sulphate, metals, phosphorus, and pH, through best available treatment technologies. The predicted seepage-face exceedances, including cobalt, selenium, uranium, and vanadium, and the ECCC and NRCan findings that seepage was underestimated, must be resolved through prevention, not post-hoc monitoring, before the IA Report is finalized.

7. Fish Habitat Offsetting Plan: An Unfinished Assessment Cannot Support Approval

The project will destroy or alter 116 hectares of fish habitat across the North Driftwood River, West Buskegau River, and Jocko Creek watersheds. The primary offsetting mechanism proposed is the North Driftwood River Diversion Channel, a 7.7-kilometre engineered watercourse.[2]

There are two problems with this approach. First, the diversion channel itself is a source of sedimentation that Fisheries and Oceans Canada has advised may constitute a harmful alteration requiring additional offsets.[2] Second, and more fundamentally, the fish habitat offsetting plan does not yet exist. The Draft IA Report delegates preparation of the offsetting plan to DFO under the Fisheries Act, without the plan being subject to IAAC assessment or public comment.

ORA raised this gap in its February 2025 submission and recommended that Fisheries Act authorizations be completed before the Impact Statement was accepted.[3] That recommendation

was not acted upon. IAAC's own report acknowledges "uncertainty regarding the technical feasibility of the diversion channel," and DFO's own advice notes the diversion's sedimentation effects. AAN has cited documented failures of diversion channels on other Northern Ontario mining projects.[2] The Draft IA Report states that a diversion channel failure was "pre-cautiously considered likely to occur at least once over the project's lifespan, pending design and mitigation, based on technical uncertainties in the design of the North Driftwood River Diversion Channel."[2]

The permitting track is already moving ahead of the assessment. On June 5, 2026, before this comment period closed and before any public interest decision, IAAC published a permits dashboard for the project under the federal Cabinet Directive on Regulatory and Permitting Efficiency for Clean Growth Projects, framed around expediting authorizations "so that projects can get built faster" and tracking the permits "needed for the project to start construction."[12] Among them, the Fisheries Act authorization that would permit the destruction of fish habitat, and the Metal and Diamond Mining Effluent Regulations Schedule 2 amendment that would designate fish-bearing waters for mine-waste disposal, are listed as pending. The Impact Assessment Act sets the order: the assessment comes first, and permitting for construction follows. Building a permitting-to-construction track now, while the impact assessment, the fish-habitat offsetting plan, and the adequacy of Crown consultation all remain unfinished, reverses that order.

There are reasonable grounds to believe that proceeding in this way is in violation of section 7 of the *IAA*, which prohibits the proponent of a designated project from doing “any act or thing” in relation to the project that may cause effects to federal jurisdiction prior to the completion of an impact assessment. Section 144 of the *IAA* specifically makes it an offence to contravene the prohibition set out in section 7.

Allowing these permitting activities to occur, without the IA having been completed, diminishes the efficacy and trust in this process. An impact assessment cannot responsibly conclude on fish habitat effects when the primary offsetting mechanism is technically unresolved, and the offsetting plan is unfinished. This is not a follow-up item; it is a prerequisite to any finding on residual effects.

Recommendation 13: The fish habitat offsetting plan, including the North Driftwood River Diversion Channel design, must be completed, reviewed by DFO and affected First Nations, and made available for public comment before the IA Report is finalized.

Recommendation 14: IAAC must assess the full failure scenario for the North Driftwood River Diversion Channel and determine what contingency offsetting measures would be required if the channel fails to perform as designed.

8. Tailings Dam Safety Must Meet the Global Industry Standard on Tailings Management

The Draft IA Report identifies a tailings management facility dam failure as a credited accident scenario that could release thickened tailings and harm fish and fish habitat, migratory birds, the availability of land for traditional purposes, and the country foods on which Indigenous Peoples depend.[2] In a worst-case flood, the report finds effects could extend up to eight kilometres downstream in the West Buskegau River and up to ten kilometres down Jocko Creek, reaching the Mattagami River.[2] For a 115-metre impoundment on a 41-year mine with a post-closure period exceeding a century, this is among the most serious risks the project carries.

To manage that risk, IAAC recommends only that the facility be designed in alignment with the Canadian Dam Association's Dam Safety Guidelines and the Mining Association of Canada's Guide to the Management of Tailings Facilities.[2] Both are industry-developed instruments. Neither is the Global Industry Standard on Tailings Management (GISTM), the independent global

standard created after the catastrophic 2019 Brumadinho tailings dam collapse in Brazil to govern the safe siting, design, construction, operation, and closure of tailings facilities.[13] GISTM sets a goal of zero harm to people and the environment, requires accountability at the most senior corporate level, and requires that facilities be designed for credible climate-change scenarios across their full life cycle.

ORA submits that for a tailings facility of this scale, in a watershed that drains to James Bay, conformance with GISTM should be a binding condition of any approval, not an optional best practice. The facility must also be designed and stress-tested against climate-adjusted extreme precipitation and flood conditions for its full operating and post-closure life, consistent with Section 9 below.

Recommendation 15: Conformance with the Global Industry Standard on Tailings Management must be a binding condition of any approval for the tailings management facility, including independent review and accountability at the most senior corporate level.

Recommendation 16: The tailings management facility must be designed and stress-tested against climate-adjusted extreme precipitation and flood scenarios for the full operating and post-closure period, and the credited dam-failure scenario must be reassessed under those conditions.

9. Climate Change Must Be Included in the Cumulative Effects Analysis

The Draft IA Report explicitly excluded climate change from the cumulative effects analysis for every valued component. This is stated as a methodological choice: "IAAC did not factor changes to valued components due to climate change in its assessment of cumulative effects in each respective cumulative effects section."[2]

This exclusion is not defensible for a project of this scale and duration. The mine will operate for 41 years. The tailings management facility and open pit will generate seepage that will require treatment for more than 100 years after closure. Pit lake filling will take over a century. Every piece of mine infrastructure, every receiving water model, and every closure plan is built on assumptions about hydrology, precipitation, and temperature that will not hold through the project's operating life, let alone its post-closure period.

The approach taken in the Draft IA Report also goes against the *IAA*'s framing of cumulative effects, that reiterates per section 22(1)(a)(ii) and (iii) that the Agency must account for "any cumulative effects that are likely to result from the designated project in combination with other physical activities that have been or will be carried out, and the result of any interaction between those effects."

What's more, while the Draft IA Report states[2 (at page 41)] that the proponent has completed a climate change resilience assessment in keeping with the federal government's Strategic Assessment of Climate Change ("SACC"), there is no credible plan setting out how net-zero by 2050 will be met. Instead, the Draft IA Report states the proponent has as its "goal" to achieve net-zero by 2050. ORA submits that the SACC has not been complied with as the proponent has not provided the requisite information, including their plan to reach net-zero emissions. As these critical details are among the information the Agency and the Minister must take into account, this gap must be remedied prior to the IA proceeding.

The Ontario Climate Change Impact Assessment (OCCIA, 2023) finds that not a single infrastructure asset in Ontario carries a risk profile below "medium" under current climate conditions, with risks expected to rise across most regions and asset types by mid-century.[14]

Mining is identified as a sector where all Ontario regions are at risk, and OCCIA specifically notes that the largest increases in risk are expected for businesses dependent on natural resource systems.[14] The Crawford Nickel Project, with a 41-year operating life and a post-closure period exceeding 100 years, will face materially different climate conditions than those used to design its tailings management facility, seepage containment systems, and effluent treatment infrastructure. OCCIA further documents an accelerated rate of climatic change in Northern Ontario relative to the provincial average.[14]

Canada's Changing Climate Report (2019, updated 2022) confirms that Northern Ontario is experiencing increased frequency and intensity of extreme precipitation events and multi-year drought cycles.[15] AAN has documented these changes in its own territory. The mixing zone analysis for mine effluent is sensitive to river discharge levels, which will vary significantly under climate change. The tailings facility's seepage containment depends on groundwater hydrology that will shift. The diversion channel design depends on hydrology that will change.

The Draft IA Report's own worst-case scenario for effluent mixing zones extends 87 kilometres downstream under low-flow conditions. Climate-driven drought will increase the frequency and duration of those low-flow conditions, extending the zone of impact and increasing the duration of exceedances of Provincial Water Quality Objectives and Canadian Water Quality Guidelines for the Protection of Aquatic Life (CCME CWQG-FAL) thresholds. Excluding climate change from the cumulative effects analysis means these compounding effects are not accounted for.

Recommendation 17: To adequately assess the Project's effects on Canada's ability to meet its commitments in respect of climate change, the Draft IA Report should be revised to include a complete climate assessment consistent with the federal government's Strategic Assessment of Climate Change (SACC).

Recommendation 18: IAAC must assess climate change as a cumulative effect driver for all valued components, particularly fish and fish habitat, water quality, and the physical integrity of mine infrastructure including the tailings management facility and diversion channel.

Recommendation 19: The proponent must demonstrate that all mine infrastructure, including the tailings management facility and effluent treatment system, is designed to function under climate-adjusted hydrology for the full operating and post-closure period, using OCCIA 2023 and Canada's Changing Climate Report (2019/2022) as the design baseline.

10. Boreal Caribou Critical Habitat: Federal SARA Obligations Are Not Engaged

The northern half of the project area intersects the Kesagami Range of the boreal caribou. The Kesagami Range is already below the 65% minimum undisturbed habitat threshold established in the federal Recovery Strategy for Boreal Caribou, meaning the range is in recovery jeopardy and critical habitat provisions apply.[16]

Despite this, the Draft IA Report concludes there are no residual adverse effects on caribou use of land for traditional purposes, on the basis that boreal caribou have been extirpated from the project area for over a generation and the range is "already heavily disturbed." This reasoning is logically and legally untenable. The federal Recovery Strategy's 65% threshold exists precisely to establish a floor below which further disturbance is prohibited, regardless of how degraded the habitat already is. IAAC's conclusion that a critically degraded range cannot be further significantly harmed is the opposite of what the Recovery Strategy requires.[2]

The *Species at Risk Act* requires federal decision-makers to consider whether a project is likely to result in the destruction of critical habitat for a listed species. The Crawford Nickel project

footprint overlaps critical habitat for a federally threatened species that is below its recovery threshold. That obligation is not met by noting the habitat is already degraded.

Additionally, we outright reject the Agency's suggestion that "For species at risk off federal lands, IAAC looks to Ontario as the primary regulator. Ontario's *Species Conservation Act, 2025*, administered by the Ministry of the Environment, Conservation and Parks" for the "purpose of identifying species at risk and providing for the protection and conservation of the species."

The belief that the *Species Conservation Act, 2025* ("*SCA*") can serve as a sufficient safeguard for at-risk species is misplaced and deeply problematic to the species in critical need of safeguarding. First, the federal species-at-risk regime is built upon principles of intergovernmental cooperation, not jurisdictional substitution. Effective protection that creates the foundation for species recovery depends upon complementary action by both levels of government – not an abdication of that responsibility. Second, the provincial Minister of Environment, Conservation and Parks has already removed the protection of 70 federally designated species at risk (i.e., 32 migratory bird species and 38 aquatic species) on the basis that they are already protected by the federal government.

The Draft IA Report erroneously assumes a provincial role in species at risk protection when key aspects of species protection and recovery have been systematically removed. Accordingly, the Draft IA Report should not rely on the existence of the *SCA* as evidence that adverse effects on species at risk or biodiversity will be adequately avoided and managed.

Recommendation 20: IAAC must assess the project's effect on boreal caribou critical habitat against the *Species at Risk Act* and the Recovery Strategy's 65% minimum undisturbed habitat threshold, rather than dismissing the issue on the basis that the range is already below the threshold.

Recommendation 21: The Draft IA Report should not rely on the existence of the provincial *Species Conservation Act, 2025* as evidence that adverse effects on species at risk or biodiversity will be adequately avoided nor managed. To the contrary, many federal species have been removed from provincial protection and prohibitions on harming and harassing species and their habitat, no longer in existence.

11. Chrysotile Asbestos: Community Air Quality and Worker Health

The Crawford ore body is hosted in ultramafic rock that contains chrysotile asbestos. The Draft IA Report identifies chrysotile asbestos as a contaminant of concern that would be emitted during the processing and transport of ore and acknowledges it may lead to chronic health effects including asbestosis.[2] Visible dust is expected up to one to two kilometres downwind of the modelled mine boundary.[2]

Three Indigenous communities raised this risk directly. Flying Post First Nation emphasized the potential for chrysotile asbestos in bedrock to be released into the air during mining or if used as construction material, and AAN and the Métis Nation of Ontario (Region 3) raised the risk to Indigenous workers from asbestos aerosolized from mine rock.[2] Asbestos is a recognized human carcinogen for which no safe level of exposure has been established.[17] The Draft IA Report itself records that asbestos is a non-threshold pollutant of concern.[2]

Despite this, the Draft IA Report concludes there would be no residual effects from asbestos exposure, on the basis that workplace exposure controls under Ontario's Occupational Health and Safety Act would manage the risk.[2] This reasoning has two gaps. First, occupational controls protect workers on the site; they do not address community exposure to airborne fibres carried

one to two kilometres downwind onto lands that Indigenous Peoples use for harvesting, ceremony, and overnight stays. Second, for a non-threshold carcinogen, a conclusion of no residual effect cannot rest on the assumption that controls will perform perfectly across a 41-year operating life. The precautionary approach is to treat community asbestos exposure as a residual effect requiring binding, independently monitored conditions, not to assume it away.

Recommendation 22: IAAC must treat community exposure to chrysotile asbestos as a residual adverse effect and require binding, independently monitored air-quality conditions, including Indigenous-led monitoring, rather than concluding there are no residual effects.

Recommendation 23: The proponent must complete a quantitative human health risk assessment for chrysotile asbestos covering off-site and downwind receptors, including Indigenous land users, before the IA Report is finalized.

12. Archaeological and Cultural Heritage Baseline Is Acknowledged as Deficient

The Draft IA Report acknowledges that AAN was not consulted during the Stage 1 Archaeological Assessment, and that the Cultural Heritage Screening Report submitted by the proponent contained no information on Indigenous cultural significance.[2] Wabun Tribal Council (on behalf of Flying Post, Matachewan, and Mattagami First Nations) and the Ministry of Citizenship and Multiculturalism both raised concerns about the methodology and adequacy of the Stage 1 Assessment.

IAAC proposes a Stage 2 Assessment and an Archaeological and Cultural Resources Management Plan as conditions of any approval. ORA does not accept that inadequate baseline data can be remedied after the approval decision is made. Where the baseline data on culturally significant sites is acknowledged to be incomplete, the conclusion that effects on physical and cultural heritage are "significant to a low extent" is not defensible. The assessment of cultural heritage effects cannot be finalized until a culturally informed Stage 2 Assessment has been completed and reviewed with affected Nations.

Recommendation 24: A Stage 2 Archaeological Assessment, conducted with the full participation of AAN and the other Treaty 9 Nations, must be completed and its results incorporated into the IA Report before the report is finalized.

13. Brunswick House First Nation and the Completeness of the Consultation Record

At the May 21, 2026, public information session on the Draft IA Report, a representative of Brunswick House First Nation identified that her community has had no representation on this file for over two years and has only recently obtained legal and technical support through MDA funding.[18] IAAC confirmed that Brunswick House First Nation is a consulted community, that culturally significant sites have been identified within the project footprint by that community, and that a separate meeting would be scheduled.

ORA submits that Brunswick House First Nation's two-year absence from the process, through no fault of their own, and their explicit statement that they need more time to understand and respond to the draft assessment, is evidence that the consultation record is incomplete. The comment period must not close before Brunswick House First Nation has had a meaningful opportunity to review and respond. ORA urges IAAC to extend the comment period for Brunswick House First Nation and to ensure their concerns are fully incorporated into the final IA Report.

Recommendation 25: The comment period must be extended for Brunswick House First Nation, which has only recently obtained the technical and legal support needed to meaningfully

participate. Their submissions must be incorporated into the final IA Report before it is transmitted to the Minister.

14. Comments on the Draft Potential Conditions

ORA also comments on the draft potential conditions released for comment alongside the Draft IA Report. The conditions do not cure the deficiencies identified above. To the contrary, they confirm and entrench them, because they repeatedly substitute monitoring and adaptive management after construction for prevention before approval, the very approach ORA rejects throughout this submission.[19]

On the issues that matter most to Ontario rivers, the conditions defer the substance to follow-up programs. Seepage is managed by monitoring the seepage face for the same contaminants ECCC flagged, chromium VI, cobalt, copper, nitrate, nitrite, selenium, uranium, vanadium, and zinc, and adding mitigation only "if needed" (condition 3.4). The sulphate threshold is not set but left to be "established" later (condition 5.9). Methylmercury is addressed by fish-tissue monitoring with thresholds set later (condition 5.8). And the diversion channel's effectiveness is to be "assessed" only after it is built (condition 3.3). None of these conditions adopts AAN's requirement for the best available treatment of background conditions. They confirm, rather than answer, Sections 5, 6, and 7 above.

The tailings conditions illustrate the gap precisely. Condition 10.1.1 requires the tailings dam to be designed only "taking into account" the Canadian Dam Association's and the Mining Association of Canada's industry guides, the very instruments ORA identifies in Section 8, and again does not require the independent Global Industry Standard on Tailings Management. Condition 10.1.3 requires water-management structures to accommodate only, "at a minimum, a 1-in-100-year flood event." For a high-consequence tailings facility whose failure the Draft IA Report says could reach the Mattagami River, a 1-in-100-year design standard is well below the level of protection that the Global Industry Standard and high-consequence dam classification require, which can extend to the Probable Maximum Flood.

The air-quality follow-up program in condition 5.7 requires monitoring for fine particulate matter, nitrogen dioxide, and sulphur dioxide, but does not list chrysotile asbestos, consistent with the assessment's treatment of asbestos as a workplace matter only. As ORA sets out in Section 11, community exposure to a non-threshold carcinogen cannot be left unmonitored.

Most troubling, the conditions write two affected Nations out of the process. The definition of "Indigenous groups" in condition 1.19, the parties entitled to consultation and participation under every condition, includes only Apitipi Anicinapek Nation, Flying Post First Nation, Matachewan First Nation, Mattagami First Nation, the Métis Nation of Ontario (Region 3), and Taykwa Tagamou Nation. Brunswick House First Nation and Moose Cree First Nation are omitted. The Draft IA Report excludes them on the basis that project effects will not reach them, Moose Cree on the assumption of a mixing zone of "a few hundred metres," and Brunswick House on the assumption of no impact to the Mattagami River.

The irony is that the Draft IA Report's own worst-case tailings-dam failure scenario points in the opposite direction. A breach is predicted to send tailings up to ten kilometres down Jocko Creek into the Mattagami River, the very river Brunswick House relies on, and up to eight kilometres down the West Buskegau River toward the Abitibi River, which flows through Moose Cree's traditional territory. The communities that the conditions exclude as beyond the reach of project effects are the same communities that a dam failure could reach.

ORA acknowledges that the conditions include useful elements, an independent environmental monitor during construction (condition 9) and Indigenous monitors (condition 8). But monitoring is not prevention, and a framework that leaves the proponent free to decline measures it deems not "technically and economically feasible" (condition 2.9.6) cannot substitute for resolving these issues before the public interest decision is made.

Recommendation 26: The draft potential conditions must be strengthened to require prevention rather than post-hoc monitoring: best available treatment to background conditions for effluent and seepage; conformance with the Global Industry Standard on Tailings Management and a flood-design standard above the 1-in-100-year minimum in condition 10.1.3; and explicit monitoring of chrysotile asbestos in the air-quality follow-up program in condition 5.7.

Recommendation 27: The definition of "Indigenous groups" in condition 1.19 must be expanded to include Brunswick House First Nation and Moose Cree First Nation, so that they hold the same consultation and participation rights under the conditions as the other affected Nations.

15. Proposed Major Project Reforms

Lastly, we also wish to raise a final issue of utmost importance with direct relevance to this project: the Government of Canada's *Getting Major Projects Built in Canada: Discussion Paper on Proposed Legislative, Regulatory, and Policy Reforms.*

The deficiencies identified throughout this submission demonstrate why the federal government's proposed reforms, as set out in the *Discussion Paper,* must not be applied to the Crawford Nickel Project. The Draft IA Report already relies heavily on future permitting, monitoring programs, and follow-up plans to address unresolved concerns regarding mercury methylation, effluent treatment, seepage, fish habitat offsetting, tailings management and impacts to Indigenous rights. Applying any of the proposed reforms would further weaken this IA by shifting additional scrutiny from the impact assessment stage to future regulatory and permitting decisions. This would undermine the core purpose of IA, which is to determine the impacts of a project up front, before any decision is made as to whether it should proceed.

Nor should the Crawford Project be subject to any future mechanism that creates a presumption of approval, including as a project within a Federal Economic Zone. The Draft IA Report identifies significant adverse effects on fish habitat, Indigenous rights, species at risk, water quality, and biodiversity.(2 at page 175). It also acknowledges substantial outstanding information gaps and unresolved technical issues. A project characterized by significant adverse effects and unresolved uncertainties cannot reasonably be considered appropriate for pre-approval, fast-tracking, compressed timelines, or reduced public scrutiny and involvement.

The proposed *Discussion Paper* reforms would also erode an already tenuous approach to Crown consultation and Indigenous participation in this Draft IA Report. As set out above, the Agency has not yet finalized its assessment of the adequacy of consultation; Brunswick House First Nation has only recently secured the ~~capacity~~ necessary to participate meaningfully; and AAN continues to oppose the project and has not provided its free, prior, and informed consent. Further revoking the application of federal law and compressing timelines for review and meaningful engagement would further constrain the ability of Indigenous Nations and the public to understand, evaluate, and respond to the Project's potential effects.

The Crawford Nickel Project is a timely and unfortunate reminder of why the federal government must abandon the proposals set out in the Discussion Paper: safeguards for nature and Indigenous rights require *more* scrutiny and IA decision-makers, including the Agency and

Minister, must be *more* diligent in exercising their respective authorities to ensure no project proceeds without first ensuring core protections set out in our Constitution and federal law are met.

Recommendation 28: The Draft IA Report must expressly state that the proposals set out in the federal *Discussion Paper* will not retroactively apply nor be imposed on the project, including proposed Federal Economic Zone designations that would remove the project from public scrutiny and further erode weak oversight and mitigation measures to protect communities and the environment from the impacts and risks of the Crawford Project.

16. Summary of Recommendations

Recommendation 1: The Agency must ensure the DRAFT IA Report provides a reliable basis for assessing impacts on s 35 Constitutional rights and that the IA has been done in accordance with the rights-based approach required by UNDRIP. AAN's assessment must be relied on by the Agency and where differing conclusions are reached, the Agency must give full weight to the Indigenous-led assessment conducted by AAN.

Recommendation 2: The Minister must find that a "low to moderate" economic sustainability contribution, assessed without accounting for the full monetary value of lost ecosystem services, does not meet the Section 63 sustainability justification threshold for the scale of adverse effects found in this assessment.

Recommendation 3: IAAC must commission an ecosystem services valuation for the 11,785-hectare project footprint, including carbon storage, water filtration, flood attenuation, and Indigenous cultural and subsistence values, before the IA Report is finalized. The results must be weighed against the proponent's economic projections in the sustainability analysis.

Recommendation 4: The Minister must not make a final public interest determination until IAAC has published a complete duty to consult analysis and that analysis has been subject to public comment.

Recommendation 5: The Minister must require IAAC to assess the adequacy of consultation specifically with AAN, including whether the denial of a Joint Review Panel with a majority Indigenous composition compromised the adequacy of the Crown's consultation process.

Recommendation 6: FPIC from the most directly affected First Nation must be a condition precedent, not a follow-up commitment. The absence of consent from AAN, which has explicitly stated that the project should likely not be approved, must be treated as a material fact in the public interest determination.

Recommendation 7: The proponent must demonstrate compliance with the Minamata Convention on Mercury to protect human health and the environment from anthropogenic emissions of mercury.19

Recommendation 8: As a condition of any approval, the proponent must demonstrate, prior to any effluent discharge, that sulphate concentrations in all receiving waters will not stimulate mercury methylation to levels that exceed safe fish consumption thresholds. This demonstration must be reviewed by DFO, ECCC, MECP, and affected First Nations before discharge commences.

Recommendation 9: IAAC must not defer the mixing zone question to future provincial permitting. The effluent characterization and mixing zone analysis must be completed and validated before the IA Report is finalized.

Recommendation 10: IAAC must assess whether discharging to the Mattagami River, which has greater assimilative capacity, would reduce risks to fish and to Indigenous harvesting rights, as ORA recommended in its February 2025 submission.

Recommendation 11: The treatment technology and enforceable, receiver-based effluent criteria for the project must be defined, and their effectiveness demonstrated, within the impact assessment, not deferred to a future provincial Environmental Compliance Approval.

Recommendation 12: ORA strongly supports AAN's requirement that effluent discharge criteria approach or meet background water quality conditions at the point of discharge, particularly for sulphate, metals, phosphorus, and pH, through best available treatment technologies. The predicted seepage-face exceedances, including cobalt, selenium, uranium, and vanadium, and the ECCC and NRCan findings that seepage was underestimated, must be resolved through prevention, not post-hoc monitoring, before the IA Report is finalized.

Recommendation 13: The fish habitat offsetting plan, including the North Driftwood River Diversion Channel design, must be completed, reviewed by DFO and affected First Nations, and made available for public comment before the IA Report is finalized.

Recommendation 14: IAAC must assess the full failure scenario for the North Driftwood River Diversion Channel and determine what contingency offsetting measures would be required if the channel fails to perform as designed.

Recommendation 15: Conformance with the Global Industry Standard on Tailings Management must be a binding condition of any approval for the tailings management facility, including independent review and accountability at the most senior corporate level.

Recommendation 16: The tailings management facility must be designed and stress-tested against climate-adjusted extreme precipitation and flood scenarios for the full operating and post-closure period, and the credited dam-failure scenario must be reassessed under those conditions.

Recommendation 17: To adequately assess the Project’s effects on Canada’s ability to meet its commitments in respect of climate change, the Draft IA Report should be revised to include a complete climate assessment consistent with the federal government's Strategic Assessment of Climate Change (SACC).

Recommendation 18: IAAC must assess climate change as a cumulative effect driver for all valued components, particularly fish and fish habitat, water quality, and the physical integrity of mine infrastructure including the tailings management facility and diversion channel.

Recommendation 19: The proponent must demonstrate that all mine infrastructure, including the tailings management facility and effluent treatment system, is designed to function under climate-adjusted hydrology for the full operating and post-closure period, using OCCIA 2023 and Canada's Changing Climate Report (2019/2022) as the design baseline.

Recommendation 20: IAAC must assess the project's effect on boreal caribou critical habitat against the Species at Risk Act and the Recovery Strategy's 65% minimum undisturbed habitat threshold, rather than dismissing the issue on the basis that the range is already below the threshold.

Recommendation 21: the Draft IA Report should not rely on the existence of the provincial Species Conservation Act, 2025 as evidence that adverse effects on species at risk or biodiversity will be adequately avoided nor managed. To the contrary, many federal species

have been removed from provincial protection and prohibitions on harming and harassing species and their habitat, no longer in existence.

Recommendation 22: IAAC must treat community exposure to chrysotile asbestos as a residual adverse effect and require binding, independently monitored air-quality conditions, including Indigenous-led monitoring, rather than concluding there are no residual effects.

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Recommendation 25: The comment period must be extended for Brunswick House First Nation, which has only recently obtained the technical and legal support needed to meaningfully participate. Their submissions must be incorporated into the final IA Report before it is transmitted to the Minister.

Recommendation 26: The draft potential conditions must be strengthened to require prevention rather than post-hoc monitoring: best available treatment to background conditions for effluent and seepage; conformance with the Global Industry Standard on Tailings Management and a flood-design standard above the 1-in-100-year minimum in condition 10.1.3; and explicit monitoring of chrysotile asbestos in the air-quality follow-up program in condition 5.7.

Recommendation 27: The definition of "Indigenous groups" in condition 1.19 must be expanded to include Brunswick House First Nation and Moose Cree First Nation, so that they hold the same consultation and participation rights under the conditions as the other affected Nations.

Recommendation 28: The Draft IA Report must expressly state that the proposals set out in the federal Discussion Paper will not retroactively apply nor be imposed on the project, including proposed Federal Economic Zone designations that would remove the project from public scrutiny and further erode weak oversight and mitigation measures to protect communities and the environment from the impacts and risks of the Crawford Project.

In Closing:

The Crawford Nickel Project is one of the largest proposed mines in Canadian history. Its receiving waters, the North Driftwood, the West Buskegau, and the Jocko Rivers, are not industrial corridors. They are living rivers in Treaty 9 territory, supporting fish, birds, boreal caribou, and the harvesting rights, food security, and cultural continuity of nations that have depended on them since time before memory. The federal government's own analysis values Canada's ecosystem services at $3.6 trillion. A "low to moderate" economic contribution from a project with admitted significant adverse effects on fish, birds, and Indigenous rights, whose climate contribution is undemonstrated and whose consultation record is incomplete, does not clear that bar.

ORA calls on the Minister to withhold approval until the consultation record is complete, FPIC from AAN has been obtained or the legal consequences of its absence fully adjudicated, the fish habitat offsetting plan is finalized and publicly reviewed, the mercury methylation risk and the predicted seepage-face exceedances are resolved by precautionary conditions and best available treatment to background rather than post-hoc monitoring, tailings dam safety is brought to the Global Industry Standard on Tailings Management, climate change is incorporated into the

cumulative effects analysis, and the ecosystem services value of what will be destroyed is honestly weighed against the economic value of what will be gained.

Healthy rivers and healthy mines are not mutually exclusive. But they require an honest accounting of both. This Draft IA Report has not provided that accounting, and ORA submits that it must before any approval is granted.

Thank you for this opportunity to comment.

Respectfully submitted,

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End Notes:

1 *Julia-Simone Rutgers, "Nature makes Canada a whole lotta money. We've got the charts to prove it," The Narwhal, May 8, 2026. Citing Canadian Parks and Wilderness Society (2024) and Government of Canada, 2026 Nature Strategy. https://thenarwhal.ca/canada-conservation-economy-in-charts/*

2 *Impact Assessment Agency of Canada, Crawford Nickel Project, Draft Impact Assessment Report (May 2026). IAAC Registry No. 83857. https://iaac-aeic.gc.ca/050/documents/p83857/166440E.pdf*

3 *Ontario Rivers Alliance, Comments on the Crawford Nickel Project Impact Statement Summary, February 5, 2025. IAAC Registry No. 83857. https://www.ontarioriversalliance.ca/ora-comments-on-the-crawford-nickel-projects-impact-statement-ref-no-83857/*

4 *Apitipi Anicinapek Nation, Rights Impact Assessment, in: Impact Assessment Agency of Canada, Crawford Nickel Project, Draft Impact Assessment Report (May 2026), Annex 3. https://iaac-aeic.gc.ca/050/documents/p83857/166440E.pdf*

5 *Apitipi Anicinapek Nation, Technical Review of the Crawford Nickel Project Impact Statement, February 7, 2025. IAAC Registry No. 83857. https://registrydocumentsprd.blob.core.windows.net/commentsblob/project-83857/comment-62557/AAN_CNC_Crawford_IS_TechReview_2025.02.07.pdf*

6 *Apitipi Anicinapek Nation, Cumulative Effects Study, AAN Territory (High Impact Scenario), 2023. Referenced in Draft IA Report, Annex 3, Figure 4. https://iaac-aeic.gc.ca/050/documents/p83857/166440E.pdf*

7 *Drew Anderson, "Alberta's crown jewel of carbon capture quietly reduces its targets, by 77%," The Narwhal, June 4, 2026. https://thenarwhal.ca/oilsands-pathways-emissions-promise/*

8 *Ontario Land Tribunal, Asubpeeschoseewagong Anishinabek v. Ontario (Environment, Conservation and Parks), 2025 CanLII 21796 (ON LT). Leave to appeal granted (2025). https://www.canlii.org/en/on/onlt/doc/2025/2025canlii21796/2025canlii21796.html*

9 *The Narwhal, G. Noakes, Grassy Narrows seeks to appeal mine permits over mercury concerns, May 27, 2026. https://thenarwhal.ca/grassy-narrows-kinross-permit-appeal/*

10 *Gilmour, C.C., Henry, E.A., and Mitchell, R. (1992). "Sulfate stimulation of mercury methylation in freshwater sediments." Environmental Science and Technology, 26(11), 2281-2287. https://doi.org/10.1021/es00035a029*

11 *Minamata Convention on Mercury (2013). Minamata Convention on Mercury: text and annexes. United Nations Environment Programme (UNEP). https://minamataconvention.org/en/resources/minamata-convention-mercury-text-and-annexes*

12 *Impact Assessment Agency of Canada, Crawford Nickel Project, Permits dashboard (under the Cabinet Directive on Regulatory and Permitting Efficiency for Clean Growth Projects), updated June 5, 2026. IAAC Registry No. 83857. https://iaac-aeic.gc.ca/050/evaluations/proj/83857/permits*

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19 *Impact Assessment Agency of Canada, Crawford Nickel Project, Potential conditions established under section 64 of the Impact Assessment Act (draft for comment, 2026). IAAC Registry No. 83857. https://iaac-aeic.gc.ca/050/evaluations/proj/83857*