



July 14, 2026

Impact Assessment Agency of Canada

200-1801 Hollis Street
Halifax, Nova Scotia B3J 3N4

RE: 15-Mile Processing Hub Project - Invitation to Comment on the Summary of the Initial Project Description Sipekne'katik First Nation

This submission provides interim comments and observations from Sipekne'katik First Nation concerning the Initial Project description (IPD) for the 15-Mile Processing Hub Project, as submitted for initial review to the Impact Assessment Agency Canada (IAAC) by 15-Mile Minerals and Renewables. These comments **do not represent Sipekne'katik's final position or decision on the Project, nor do they constitute consent**. Consultation on this project is ongoing, and these comments must not be relied upon by the Proponent or any regulatory authority as evidence or satisfaction of the Crown's Duty to Consult under Section 35 of the *Constitution Act, 1982*.

Sipekne'katik understands that this comment period is to determine whether this project will have impacts to areas of federal jurisdiction including impacts to Indigenous communities and Aboriginal and Treaty Rights. Further, Sipekne'katik understands this comment period is also intended to determine whether this project will undergo a federal impact assessment. To be clear, this project has the potential to negatively impact the health of Sipekne'katik community members and to appreciably and significantly impact the ability of community members to exercise their Aboriginal and Treaty Rights. See Appendix 1 for specific comments on potential impacts.

This project spans multiple locations over a range of 75 kilometers and is located within 50 kms of Sipekne'katik First Nation. Most significantly, the project is being proposed in a particularly critical area for practicing rights including hunting, gathering and fishing which support the socioeconomic conditions of community members, including food security. For these reasons, the proximity of the Old Austen mine to the Killag River is completely unacceptable and changing the



setback distance from 60 metres to 110 metres does not in any way diminish the potential impacts to fish and fishing.

The project area(s) directly contribute to mental and physical health of the community by providing access to resources and cultural practices and has the potential to impact both tangible and intangible Mi'kmaq values. Please refer to the attachment from Dr. Roger Lewis (Appendix 2) for detailed information on these values and the detrimental impact of a 'one project-one review' process undertaken by the province. Further, Sipekne'katik holds specific and detailed information on the use of the project area(s) for hunting, fishing, gathering and overnight camps. The family names and locations can be provided to the Agency during the assessment, subject to agreed protection of the information. Importantly, our data shows continued use and reliance on the areas by our membership.

Federal Impact Assessment Required

This project will produce almost twice the threshold limit for federal assessment at 8200t/d of ore production and is a 'designated project' as per the *Physical Activities Regulations*. However, Sipekne'katik has observed, and is disheartened by, the trend by IAAC to refrain from conducting federal impact assessments. The recent examples of Marshdale and Salt Springs illustrate this 'walking back' and 'standing down' of federal assessment.

Sipekne'katik wants to remind IAAC that they are responsible to act in compliance with the *United Nations Declaration Act* (UNDA) which codifies the United Nations Declaration on the Rights of Indigenous Peoples into Canadian Law. Specifically, Section 32 (1), (2) reads:

1. *Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.*
2. *States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and*



other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.¹

The Province of Nova Scotia and Impact Assessment Agency of Canada signed the *Co-operation Agreement between Nova Scotia and Canada on Environmental and Impact Assessment* in March 2026 which states that;

WHEREAS **Canada maintains its commitment** to the United Nations Declaration on the Rights of Indigenous Peoples ("UNDRIP");

WHEREAS Nova Scotia advances Indigenous-Crown relations in accordance with existing Aboriginal law and Section 35 of the Constitution Act, 1982 **and has made no legislative commitment to implement UNDRIP and does not apply it as law;**

IAAC and Nova Scotia Department of Environment and Climate Change (NSECC) commit to working together to co-operate on and coordinate open, transparent, effective and timely communications and consultation with Indigenous Peoples. This includes co-operating on the identification of Indigenous communities for consultation throughout assessment processes and coordinating consultation activities to the extent possible, **recognizing and acknowledging that Nova Scotia has made no legislative commitment to implement UNDRIP and does not apply it as law.** (emphasis added)²

This project triggers both constitutional and statutory consultation obligations, as elicited in the UN Declaration, including the obligation on the Crown to obtain the free, prior, and informed consent in the case of mining activities on Mi’kmaq Territory. The province explicitly rejects UNDRIP and does not recognize the Sipekne’katik Governance Initiative (SGI) process, which our community uses for decision making and consent processes; an expression of our inherent right to self-governance. Appendix 3 contains letters to Sipekne’katik concerning a recent assessment for a gold mine. These letters illustrate the provinces’ rejection of Sipekne’katik knowledge and disdain for the SGI process. Sipekne’katik asserts that the provincial impact assessment process cannot be substituted for the federal impact assessment and is not equivalent.

¹ <https://www.ohchr.org/en/indigenous-peoples/un-declaration-rights-indigenous-peoples>

² <https://www.canada.ca/en/impact-assessment-agency/corporate/acts-regulations/legislation-regulations/canada-ns-cooperation-agreement.html>



This is not an issue that can be addressed by the proponent as it rests squarely with the Crown. It also cannot be fulfilled by other federal regulators, such as Fisheries and Oceans Canada (DFO).

To add more clarity to the difference between federal and provincial assessments as it relates to Indigenous peoples, we provide a basic comparison of the federal and provincial legislation and guidelines in the below table (Table 1). Just by this simple metric these assessments are not equivalent or interchangeable to assess the impacts on the rights of Indigenous peoples and promote reconciliation.

Table 1: Federal and Provincial Legislation and Guidelines Comparison

	Indigenous/ Aboriginal/ Mi'kmaq	Traditional Indigenous Knowledge	Indigenous Governance
Provincial			
Environment Act Chapter 1 Of The Acts Of 1994-95 As Amended By 1998	2		0
Environmental Assessment Regulations Section 49	8	0	0
A Proponent's Guide to Environmental Assessment	4	0	0
Federal			
Impact Assessment Act	85	25	0
Tailored Impact Assessment Guidelines	192	41	4
Guidance For Proponents: Early Engagement with	203	17	4



Indigenous Peoples Under the <i>Impact Assessment Act</i>			
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Federal impact assessment contemplates a project that is subject to both provincial and federal assessment and explicitly states that differing federal and provincial standards for proponents’ engagement and that both must be met.³ Should IAAC determine not to follow federal law, regulations, and policy and defer to the provincial process, Sipekne’katik requires a **detailed** breakdown and comparison of how the provincial legislation, regulations and policy are equivalent and cover the **same requirements** vis a vis Indigenous knowledge, health, governance and impacts to Aboriginal and Treaty rights, cumulative impacts and intersectionality of effects. Not as it relates to the general public but to Indigenous peoples specifically.

Sipekne’katik notes the trend to rely on various federal permitting processes to collectively discharge the Duty to Consult responsibility of the federal Crown and the function of the Impact Assessment Agency. This is not acceptable in this instance as the impacts and issues within federal jurisdiction are complex, intersectional and beyond the scope of isolated federal permits. Further, the same ‘walking back’ and ‘standing down’ is occurring within federal authorities; notably DFO has narrowed the scope, applicability, and requirements of *Fisheries Act Authorizations* in the *Amendments to the Authorizations Concerning Fish and Fish Habitat Protection Regulations*.⁴ They have retreated to a narrow definition of their mandate and are demonstrating an unwillingness to fully assess impacts to rights both directly and indirectly related to their authorizations. In short, there are no federal permits that can be a proxy for federal assessment of a project of this magnitude and scope.

Sipekne’katik calls on the Impact Assessment Agency to implement rigorous consultation on this project including adherence to the SGI process, co-development of key documents and reinvigoration of the Technical Advisory Committee model formerly utilized in the 15-Mile Gold Project assessment process. Only once a thorough assessment is complete, respecting the established Aboriginal and Treaty rights of Sipekne’katik membership, can the community make

³ <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act/information-proponents-preliminary-consultation-impact-assessments.html>

⁴ <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-286/page-1.html>



an informed decision on this project. Absent federal assessment, consultation will remain incomplete which will add risk and uncertainty to the project and should make investors extremely nervous.

Proponent Characterization

The current proponent, 15 Mile Mineral and Renewables Ltd (15 MMR), formerly Atlantic Mining NS, has a troubling history. Both in their current and past configurations they did not undertake meaningful engagement with Sipekne’katik First Nation. Further, this company, under its former name, have been charged for both federal and provincial environmental infractions.⁵ It is therefore extremely alarming and disingenuous when they portray what is primarily gold mining, as predominately a ‘clean-up of historic tailings.’

The IPD demonstrates many instances of poor judgement by the proponent and an attempt to ‘green wash’ the project under the guise of reclamation of historic tailings. The use of phrases such as ‘where appropriate’ and ‘where applicable’ signal an intent to exploit regulatory ambiguity and minimize responsibility. Only through a methodical review can Sipekne’katik understand the implication of this ambiguity to the practice of our Rights in the project area.

Sipekne’katik notes this sentence in the IPD: “At both provincial and federal levels, the project is positioned as a nation-building initiative—enhancing local employment and training, stimulating rural economies, and strengthening infrastructure, while maintaining a strong commitment to environmental stewardship⁶.” The proponent wishes to position this project as a ‘Project of National Interest’ to capitalize on the abbreviated review and expedited permitting being offered this small number of projects. However, key information about Projects of National Interest underscores the requirement for Indigenous consultation and engagement, compliant with the UN Declaration and Constitution. From the Prime Ministers home page on these projects:

The Government of Canada will advance nation-building projects while respecting the rights of Indigenous Peoples recognized and affirmed by Section 35 of the Constitution

⁵ <https://www.halifaxexaminer.ca/commentary/new-name-for-an-old-game-st-barbara-tries-again-to-open-three-new-gold-mines-in-n-s-and-bundles-them-into-one-project-it-calls-a-processing-hub/>

⁶ <https://www.iaac-acic.gc.ca/050/documents/p90533/166853E.pdf>, pg. 4.



Act, 1982, and the rights set out in the United Nations Declaration on the Rights of Indigenous Peoples, including the principle of free, prior, and informed consent.⁷

Given the potential for adverse environmental effects, the uncertainty surrounding impacts to water resources, archaeological and cultural heritage, traditional land use, and cumulative effects, and the potential for adverse impacts on Aboriginal and Treaty Rights, Sipekne’katik First Nation firmly believes the 15-Mile Processing Hub Project requires a federal impact assessment under the *Impact Assessment Act*, and that failure to do so will undermine any meaningful consultation on this project. To put it plainly, failure to uphold federal responsibility will leave the assessment and consultation open to challenge and will not de-risk the investment.

Sipekne’katik holds the view that proper, rigorous federal assessment is the appropriate tool for a project of this size and scope. Consultation must be consistent with Canada’s commitments under the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), including the principles of Free, Prior, and Informed Consent. A federal impact assessment is necessary to ensure that impacts are fully assessed, meaningful consultation occurs, and decision-making respects the Rights, interests, and governance of Sipekne’katik First Nation.

⁷ <https://www.pm.gc.ca/en/news/news-releases/2025/07/17/prime-minister-carney-engages-first-nations-rights-holders-building>