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Sent by email

Chief Cornelius Wabasse
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**SUBJECT: Next Steps in the Impact Statement Phase for the
Webequie Supply Road Project**

Chief Cornelius Wabasse:

Congratulations and thank you for the release of the draft Impact Statement for the Webequie Supply Road Project (the project). The Impact Assessment Agency of Canada (IAAC) acknowledges the time, resources, effort and leadership that are reflected in achieving this important milestone.

In light of the amendments made to the *Impact Assessment Act*, IAAC has implemented measures to streamline project assessments.

For IAAC, the next steps in the Impact Statement Phase for the project will concentrate on the following:

1. technical review of the Impact Statement that focuses on key issues relevant for decision making, specifically federal effects and the positive benefits of the project; and
2. leveraging federal mechanisms outside of the IAA, as well as provincial legislative frameworks and instruments to address the key issues.

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Regarding the two points mentioned above, the enclosure to this letter describes the key issues that IAAC is focusing on during the technical review of the Impact Statement, and how IAAC envisions having them addressed, by leveraging federal mechanisms outside the IAA and provincial legislative frameworks, to inform content for IAAC's Impact Assessment Report and plan for consultation.

Sincerely,

Amy Sen
A/Director, Ontario Region

Enclosure:

- Key Issues for Impact Assessment Decision-making under the *Impact Assessment Act* for the Webequie Supply Road Project (two pages)

c.c.: Michael Fox, Project Lead

Enclosure: Key Issues for Impact Assessment Decision-making under the *Impact Assessment Act* for the Webequie Supply Road Project

In support of an efficient and focused technical review and consultation process during the remainder of the federal impact assessment, this enclosure provides a list of the key issues and means to address the issues for IAAC's analysis of potential impacts from the Webequie Supply Road Project, considering IAAC's current understanding of the project context and information available to IAAC that is material to decision-making under the *Impact Assessment Act*.

With respect to **fish and fish habitat**, IAAC understands that:

- Injury or mortality to fish species identified by Indigenous communities (e.g., Burbot, Brook Trout, Lake Sturgeon, Lake Whitefish, Northern Pike, Walleye) from construction and maintenance works, as well as impacts from fishing pressures, may be addressed through standard mitigation measures and other requirements stipulated by federal mechanisms under the *Fisheries Act* and provincial legislative frameworks such as provincial permitting of in-water works (e.g., approvals under *Lakes and Rivers Improvement Act* and/or *Public Lands Act*) and protections through licensing under *Fish and Wildlife Conservation Act*;
- Adverse changes to fish habitat from in-water construction and maintenance works at major water crossings (such as proposed at Ekwam River, Muketei River, and Winiskisis Channel), where fish habitat is anticipated to be harmfully altered, disrupted or destroyed, as well as works affecting wetlands that support fish habitat may be addressed through federal and provincial mechanisms, such as, authorization pursuant to the *Fisheries Act*, and provincial permitting of construction activities (e.g., approvals under *Lakes and Rivers Improvement Act*, *Aggregate Resources Act* and *Public Lands Act*); and
- Adverse changes to fish habitat from in-water construction and maintenance works at minor water crossings, may be addressed through standard mitigation measures and other requirements stipulated by federal mechanisms under the *Fisheries Act*, and provincial permitting of construction activities (e.g., approvals under Ontario's *Lakes and Rivers Improvement Act*, *Aggregate Resources Act* and *Public Lands Act*).

With respect to **migratory birds**, IAAC's review will focus on:

- Adverse changes to migratory birds and their nests and eggs from construction and maintenance works, may be addressed through federal guidance to minimize risk of contravening the *Migratory Birds Convention Act*, and Crown land work permits under Ontario's *Public Lands Act* for land clearing and use of provincial Crown land may offer protections to migratory birds and their habitats.

With respect to potential **impacts to Indigenous Peoples**, IAAC's current understanding of the concerns shared with IAAC by potentially impacted Indigenous communities, as well as federal and provincial mechanisms that may be leveraged to address the concerns, are detailed below. IAAC anticipates gaining an updated understanding of the concerns through upcoming consultation in the coming months, as well as confirmation of various federal and provincial mechanisms through future discussions with relevant federal authorities and provincial ministries.

- Physical and Cultural Heritage
 - Degradation or disruption to physical and cultural heritage resources and/or associated cultural practices from construction and maintenance works may be minimized through various means such as requirements under the *Ontario Heritage Act* to preserve artefacts, protections for local fish and terrestrial wildlife (see bullets in fish and fish habitat section and the migratory birds section above, and the current use section below), as well as federal mechanisms that may minimize impacts to cultural practices (e.g., travel on navigable waters for community gatherings), such as approvals for works under *the Canadian Navigable Waters Act*.
- Current Use of Lands and Resources for Traditional Purposes
 - Adverse changes to fishing, hunting¹, trapping², and plant gathering³ from changes in the land and resources that support these activities may be addressed through federal and provincial mechanisms, such as those described above, in the content on fish and fish habitat and migratory birds, as well as provincial mechanisms to protect caribou and standard mitigation and best practices for land clearing and providing safe access to practise the traditional activities.
- Health Conditions
 - Human health risk from adverse changes in exposure to reduced air quality and elevated noise levels in the community of Webequie First Nation stemming from construction and maintenance activities on or near reserve lands may be minimized through federal and provincial mechanisms that set land use permit requirements under the *Indian Act* and Ontario's *Public Lands Act*.
- Socio-economic Conditions
 - Adverse effects on community well-being, particularly over the long-term, could be managed from a regional context and coverage provided through leveraging government programs.
 - Benefits, such as business development and employment opportunities and improved access to goods and services are anticipated for the community of Webequie First Nation.

In relation to understanding **public interest factors**, which are considered in decision making, IAAC will focus on the net positive contribution of the project. This may include considerations toward the long-term benefits to regional and provincial economies and the interests of certain Indigenous communities that plan to participate in potential future development activities.

¹ Hunted species identified by potentially impacted Indigenous communities include the species of migratory birds (Canada Goose, Snow Goose, and wild ducks), Ruffed Grouse, and ungulates (caribou, deer, moose)

² Furbearers identified by potentially impacted Indigenous communities include beaver, fisher, fox, marten, mink, muskrat, lynx, river otter, weasel, wolverine

³ Plant species identified by potentially impacted Indigenous communities include muskrat root, sweetgrass, plants for brewing teas, wild rice, varieties of berries, pine, spruce, lichen