

Summary of Key Issues with the Draft Agreement to Conduct a Regional Assessment in the Ring of Fire Area and Recommendations

The Ring of Fire is an area of world-class mineral potential located within the globally important Hudson Bay Lowland, the second-largest peatland complex in the world. The headwaters of a number of the last large, undammed rivers in North America can be found in this region and these rivers, in turn, feed a tremendously productive coastal zone system. The question is how to proceed with development while protecting the irreplaceable ecological values of the Ring area before mining and roads potentially disrupt or destroy these values. In 2021, the Government of Canada agreed to undertake a Regional Assessment (RA) under the federal *Impact Assessment Act* (IAA) at the request of WCS Canada and others. The Impact Assessment Agency of Canada (IAAC), in negotiation with the province of Ontario, developed a draft Agreement setting out the scope and form of the RA.

As our comments below make clear, the draft Agreement fails to capitalize on the opportunity to undertake proactive planning for an area that is recognized internationally as a priority region for action on the global climate and biodiversity crises, and is the homeland of First Nations who are the only population living in the region. WCS Canada scientists have been actively working to understand the critical ecosystems and the species and services they support as well as approaches to conserving them, including with First Nation communities, for the past 15 years. We have applied our scientific knowledge of the area to inform our assessment and recommendations on the draft Agreement for the RA.

Problem: The draft Agreement fails to adequately address the cumulative effects of human activities and climate change and their impacts on this unique and globally significant region.

- The purpose of the IAA includes a stated commitment to sustainability by the Government of Canada. As such, the draft Agreement should indicate how an RA in the Ring of Fire will “foster sustainability” of the region in terms of the ecological, social, and economic values in the region. We suggest this requires a cumulative effects assessment that considers future trajectories of land use and climate change in the region.
- The Ring of Fire is located in the Hudson Bay Lowland, a globally-significant, carbon-dense, and highly hydrologically connected peatland complex, the loss and disturbance of which could lead to disproportionate increases in greenhouse gas (GHG) emissions relative to other areas in Canada and globally. The draft Agreement does not mention carbon storage and sequestration provided by peatlands in the region, or the potential for increased GHG emissions due to mining, roads, and physical activities as well as ongoing climate change.
- One of the Government of Canada’s purposes of RA is to inform and provide guidance for “land- or marine-use planning and other initiatives for managing cumulative effects”.

However, growth-inducing and region-opening all-season roads to the remote, ecologically intact Ring of Fire region is not included in the Assessment Area of the RA. Furthermore, there is insufficient direction on how the RA would support decision-making about proposed projects, including mining and supporting infrastructure like new roads. Given the known legacy impacts of metal mining in remote regions, these cumulative impacts on the environment and First Nations need to be directly and clearly addressed in the RA.

Problem: The draft Agreement fails to adequately address the cumulative impacts of human activities and climate change on First Nations communities within Treaty No. 9 living in the region.

- The purpose of the IAA includes respect for Indigenous rights and authority and promotion of cooperation with Indigenous Peoples. In addition, the Government of Canada has developed principles for its relationships with Indigenous Peoples.
- First Nations are the only population living in the region and they have the most to lose and gain from an RA process. Yet, IAAC did not include First Nations in a meaningful way in developing the draft Agreement and ignores the call by some First Nations call for a moratorium given COVID-19 pandemic. Finally, the governance institutions (e.g., Committee, Advisory Supports) proposed in the draft Agreement marginalize First Nations across Treaty No. 9.

Our [full remarks and recommendations](#) focus on the goals and objectives of the RA, cumulative effects, the geographic and temporal scope of the RA, including Assessment Priorities, First Nations governance, and the selection and composition of the Committee and Advisory Supports.

Key issues and WCS Canada's Recommendations

The goal and objectives of the RA are inadequate and don't meet commitments under the IAA (Section 1.0 Regional Assessment Goals and Objectives)

Recommendation 1. The goal of the RA should be to examine the cumulative effects of all human activities in the Ring of Fire from the perspective of social, ecological, and economic values ("Assessment Priorities") using the best available science and Indigenous Knowledge to provide IAAC with information, knowledge and analyses regarding "Assessment Priorities" and include explicit language about sustainability, in keeping with the purpose and mandate of the IAA.

Recommendation 2. One of the objectives of the RA should be to conduct a regional cumulative effects assessment, to establish a cumulative effects framework for the Ring of Fire, or both.

Recommendation 3. In the absence of guidance on RA in the IAA, or by IAAC, including outdated, project-level guidance on cumulative effects, Canada, in consultation with experts, Indigenous Peoples, and the public, should develop authoritative guidance on the design and application of cumulative effects in RA.

The spatial "scope" of the RA is unclear and the temporal scope is not addressed (Section 2.0 Scope of the Regional Assessment).

Recommendation 4. The scope of the RA should be explicitly defined in Section 2.0 ("Scope") as one "Regional Study Area" large enough to accommodate a cumulative effects assessment, including of induced and legacy impacts of all human activities, such as existing and future mines and roads, and climate change, on "Assessment Priorities" (see Figure 1). This should not be left to the discretion of the Committee.

Recommendation 5. The temporal scope of the RA should be explicitly defined in Section 2.0. We suggest the temporal scope should be 100 years into the future given the focus on sustainability, impacts to First Nations rights, climate change scenarios, and the literature on the legacy impacts of mines and growth-inducing impacts of all-season roads.

Recommendation 6. The relationships between the "Assessment Area", the "Study Areas" and the "Assessment Priorities" in Section 2.0 should be made explicit to address confusion about how these three elements work together in RA. A diagram may be useful.

Road proposals are not included in the "Assessment Area" (Section 2.0 Scope of the Regional Assessment).

Recommendation 7. Given the known growth-inducing effects of new all-season roads in remote regions, Sections 2.2 and 2.5 should be revised to state that the current road developments (e.g., Webequie Supply Road, Marten Falls Community Access Road,

Northern Link Road) will be included in the “Regional Study Area”, the “Assessment Area”, and any other Study Areas designated by the Committee in order to consider “Assessment Priorities” and cumulative effects for the RA.

“Assessment Priorities” do not sufficiently address federal environmental obligations in the Ring of Fire, including climate commitments (Section 2.3 Scope of the Regional Assessment).

Recommendation 8. “Assessment Priorities” should include several additional items that cannot be adequately addressed in project IAs in the Ring of Fire and that consider federal environmental obligations, including Canada’s climate change priorities and responsibilities as well as Canada’s commitments to Indigenous Peoples.

Despite this area being a globally important carbon sink, the Agreement does not include any information on how the RA and the Committee will account for ecosystem carbon storage and sequestration in the Ring of Fire (Section 2.0 Scope of the Regional Assessment).

Recommendation 9. The Agreement needs to be explicit about how the RA and the Committee will account for ecosystem carbon storage and sequestration in the Ring of Fire, including full reporting and mitigation of carbon emissions from mine development activities and other existing and future physical activities such as the road proposals in the Ring of Fire.

The Committee as described in the draft Agreement does not include First Nations and the criteria for membership on the Committee is not included beyond a statement regarding bias (Section 3.0 Establishment, Purpose and Compositions of the Committee).

Recommendation 10. The Committee should be composed of members appointed by First Nations, Ontario, and Canada given Treaty No. 9. First Nations are the only population living in the region and will be impacted, both positively and negatively, by decisions based on the RA. Criteria for membership should be included in the Agreement and modeled after the process established for Joint Review Panels under the IAA.

The RA process including the Agreement does not reflect Canada and Ontario’s stated commitments to reconciliation.

Recommendation 11. The RA process, including the Agreement, should reflect Canada’s and Ontario’s stated commitments to reconciliation by recognizing First Nations jurisdiction and including First Nations at all stages of IA, including the development of the draft Agreement.

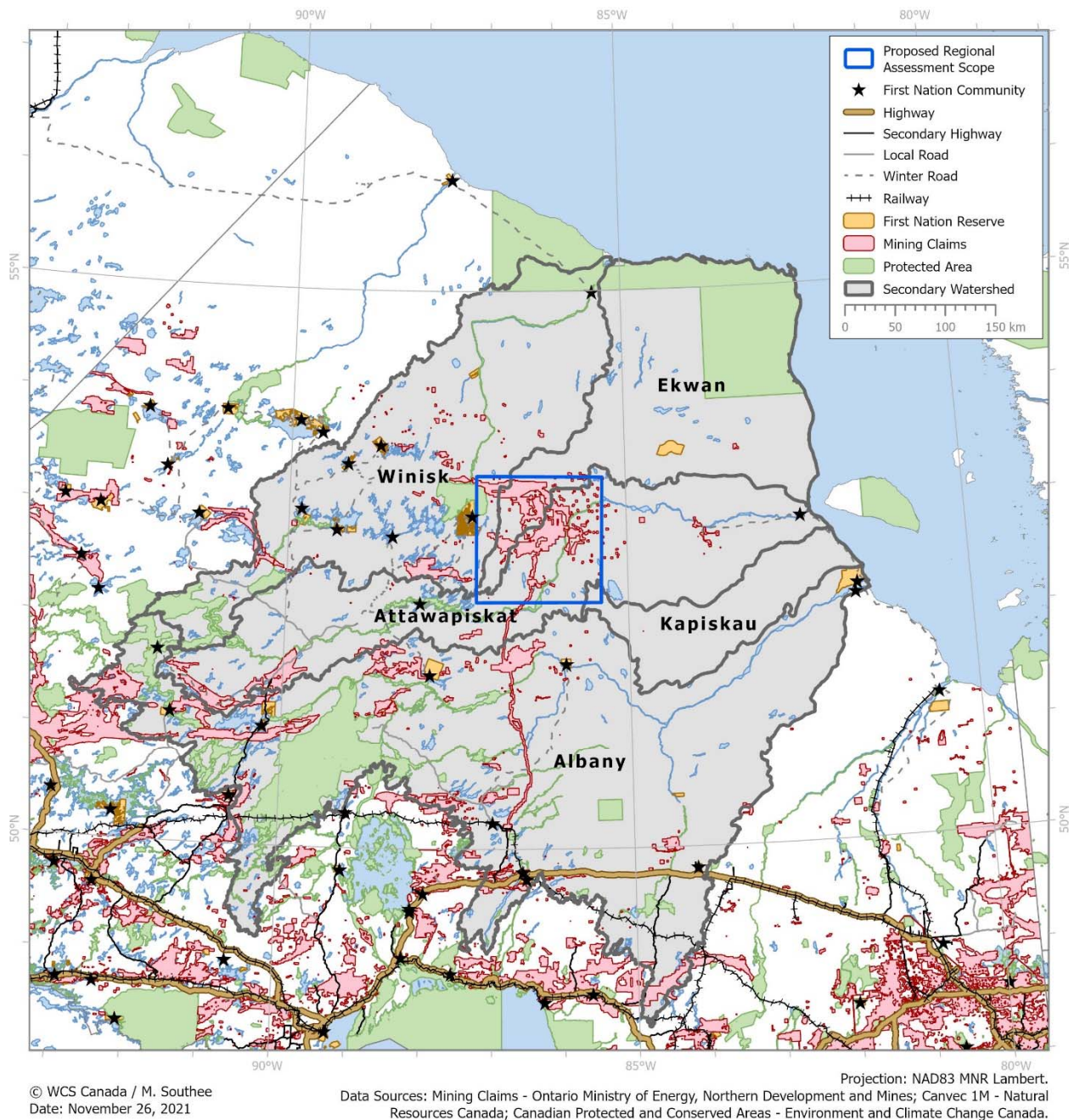


Figure 1. The proposed “Regional Study Area” for the Ring of Fire, including the “Assessment Area” (in blue) described in Section 2.2 and Appendix A1.1 in the draft Agreement. The proposed “Regional Study Area” follows meaningful ecological and social boundaries, can address both upstream and downstream cumulative effects of the Ring of Fire developments as well as climate change, and includes growth-inducing and region-opening effects of road proposals, including the Webequie Supply Road, Marten Falls Community Access Road, and the Northern Link Road.