

NORTHWATCH

April 11, 2019

Eric Everett
Far North Branch - Thunder Bay
1st Floor, 421 James Street South
Thunder Bay ON P7E 2V6

ERO number 013-4734

Dear Mr. Everett:

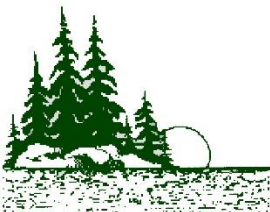
Re. Northwatch's Comment on Proposal to Repeal the Far North Act

On February 25, 2019 a proposal to repeal the Far North Act was posted on the Environmental Registry for a 45 day comment period. As communicated through the posting, the Ministry of Natural Resources and Forestry is proposing to repeal the Far North Act. If a decision is made to repeal the Act, the Ministry proposes to retain completed land use plans through amendments to the Public Lands Act and to enable completion of plans at an advanced planning stage for a time-limited period. The rationale provided was the Government's interest in "reducing red tape and restrictions on important economic development projects in the Far North including the Ring of Fire, all-season roads and electrical transmission projects for communities."

As summarized in the proposal, further to a decision to repeal the Far North Act, the Ministry of Natural Resources and Forestry would:

1. Continue joint-planning with: Marten Falls, Webequie, Eabametoong, Mishkeegogamang, Constance Lake, Deer Lake and McDowell Lake First Nations with a deadline for completion of December 31, 2020.
2. Amend the Public Lands Act to retain approved community based land use plans and provide them with substantially the same effect as under the Far North Act.
3. Wind down planning under the Far North Act in communities not at advanced stages of planning. Consistent with the approach south of the Far North, the Ministry is proposing that any future land use planning would be enabled under the Public Lands Act, based on First Nations' interests and government resources and priorities.

Northwatch has reviewed the minimal information provided with respect to this proposed repealing of the Far North Act and provides the following comments:



- We make no comment with respect to the efficacy of the Act in its original form or the success of its implementation, although we will restate concerns expressed by Northwatch during standing committee hearings about the Far North Act that the Act as proposed – and passed – fell short of our expectations that it would embody and enact shared decision-making with First Nations within the planning area, and that the Cabinet’s ability to override the planning process was problematic
- Should the Far North Act be repealed or altered, it should be the decision of each community – including those in the earlier stages of the planning process – as to whether the process continues until a plan has been completed
- Should a community opt to continue in the planning process (as has been provided in the proposal for Marten Falls, Webequie, Eabametoong, Mishkeegogamang, Constance Lake, Deer Lake and McDowell Lake First Nations, but should be extended to other communities who indicate that as their preference) the deadline for completion of December 31, 2020 should be replaced by a deadline that is mutually agreed upon by the Ministry of Natural Resources and Forestry and the First Nation community involved in the planning process; sufficient resources should be available to both the Ministry and the First Nation to ensure that work can be completed within the time frame set by this mutually agreed upon deadline
- All information and data collected and developed as part of the Far North land use planning process should remain in the public domain and publically available, including through posting on an internet site; this site should be maintained by the Ministry of Natural Resources, or through a funded arrangement with Nishnabe Aski Nation, should that be of interest to NAN

Northwatch has an overall concern that changes to large scale and long term planning processes, such as would be the case in a repealing of the Far North Act, are potentially wasteful of government, public and First Nation resources, including time invested and money spent.

Every effort should be made to ensure that all scientific and planning data is retained and remains available, and that capacity developed during such processes is repurposed into any revised or follow-on process.

Thank you for your consideration.



Brennain Lloyd

Northwatch Project Coordinator