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May 17, 2025

**TO**

Government of Ontario  
Legislative Building  
Queen's Park  
Toronto ON M7A 1A1

**RE: Proposed Amendments to the Ontario Heritage Act, Schedule 7, 2025**

I am writing to you on behalf of the Wabun Tribal Council ("Wabun") to provide comments with regards to the proposed legislative amendments that set out in *Bill 5, the Protect Ontario by Unleashing our Economy Act, 2025*, more specifically regarding the Proposed Amendments to the Ontario Heritage Act, Schedule 7 of the Protect Ontario by Unleashing our Economy Act, 2025.

In addition to the Tribal Council's feedback and with special permission, I am also submitting specific comments prepared by our First Nations' respected archeologist and advisor. Ryan Primrose of Woodland Heritage Northeast has worked with our Member First Nations for over 20 years. He has forged deep connections with many of our communities' members, especially with youth and Elders. Throughout the years, he has conducted various studies, assisted with report reviews and provides general advice on a variety of matters. His extensive experience and locally relevant knowledge and methodology has been invaluable to our Member Nations.

On behalf of the Wabun Tribal Council Member Nations, please accept Ryan's analysis, copied below, as additional comments representative of their perspectives regarding the proposed legislative amendments.

[Hon. Graham McGregor

Minister of Citizenship and Multiculturalism

**Regarding: Concerns Regarding Proposed Amendments to the Ontario Heritage Act (Bill 5)**

Dear Mr. McGregor,

*We are writing to you in response to the proposed changes to the Ontario Heritage Act R.S.O 1990, specifically the proposed amendments concerning the mechanism to exempt parties from undertaking archaeological work, and the proposed immunity clause. These changes are proposed in Bill 5, under the Protect Ontario by Unleashing Our Economy Act have serious consequences for the history, identity, and culture of First Nation's people.*

*The archaeological sites of Ontario represent the 13,000+ year history of the First Nations people. This antiquity is multiple times greater than the great pyramids of Egypt, and studying the past provides a renewed life to the people who were living in a time of megafauna such as the mammoth, mastodon, and giant beaver. To allow for lands to be exempt from archaeology silences the ancestors and robs the First Nations of their past.*

*The proposed Act espouses to protect Ontario from the threats coming from the United States of America, yet through the proposed changes it would seem to do little to protect Ontario and instead serves to increase the profits of the development community. Archaeological work in the province is not required for every project, and in the vast majority of instances the archaeological work is cost effective and completed well in advance of the timelines set out. It is difficult to understand how eliminating archaeological work will protect Ontario from the USA.*

*Instead of exempting archaeology and deciding whose history is worth investigating, why not look to other ways to improve the process such as, having the development community work with archaeologists to avoid areas of archaeological potential? Or, to reexamine the archaeological report review process? If the delays largely rest with the timelines of report review the responsibility lies with the government to properly fund the ministry, not to dismantle the act.*

*Coupled with the proposed exemptions to archaeological work is the proposed immunity clause. Without understanding the details of this clause, it would seem to save blameless the government, and presumably the development community. In effect, if human remains are unearthed by the construction, and the project was exempted from the requirement to do archaeology, would there be no recourse for First Nation communities regarding the disturbances and damage to their ancestors? In Nipigon last year, this very situation happened when Parks Canada failed to undertake archaeological work and human remains were spotted in the box of a dump truck. This is still causing delays and strained relationships. Would the development community not appreciate the archaeological work which seeks to identify ancestral resting places and ancient sites in advance of construction?*

*It is expected that proponents of this change will state that the exemption for archaeological work will only happen infrequently, but to even have a mechanism available is to have the ability to administratively erase the history of the First Nations people and puts the remains of the ancestors at risk.*

*It would serve the Province to recall that it was Progressive Conservative, Bill Davis who 50 years ago brought in the Ontario Heritage Act, while also increasing health care and education funding. If the Progressive Conservatives are indeed the party of traditional values, they should look to the actions of the Davis government. Premier Davis faced serious challenges in 1975 dealing with the energy crisis which began in 1973, and yet still had the courage and prescience to bring forward the Ontario Heritage Act, and other measures to build a strong Ontario in the face of adversity.*

*We urge you to remove the proposed exemption from Bill 5 and instead pursue other solutions. The power to neglect the history of the First Nations people should not be wielded by any government or developer. The erasure of history only leads to a weaker, fragmented society.*

*Sincerely,*

*[original signed]*

*Ryan Primrose M.A., B.Ed. ]*

Yours truly,



**Jason Batisse**  
Executive Director  
Wabun Tribal Council

- c. Chief Jennifer Constant/ Mattagami First Nation
- Chief Murray Ray/ Flying Post First Nation
- Chief Cheryl StDenis/ Brunswick House First Nation
- Chief Alex Batisse/ Matachewan First Nation
- Chief Anita Stephens/ Chapleau Ojibwe First Nation
- Nicole Charbonneau/ Mineral Development Advisor Wabun Tribal Council
- Kayla Schram/ Mineral Development Advisor Matachewan First Nation