



Taykwa Tagamou Nation

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May 16th, 2025

Hon. Graham McGregor
Minister of Citizenship and Multiculturalism

Re: Proposed Amendments to the Ontario Heritage Act (Bill 5)

Dear Hon. McGregor,

On behalf of Taykwa Tagamou Nation, I am 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. While our community understands the need for resource development and are quite progressive in developing strong economic partnerships and opportunities for our Nation, these specific changes proposed in Bill 5, under the *Protect Ontario by Unleashing Our Economy Act* have serious consequences for the history, identity, and culture of First Nations' 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.

Archaeological work in the province is not required for every project, and in most instances 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 streamline permitting processes.

Instead of exempting archaeology and creating another barrier for our community to fight against, let's review potential options that will help streamline processing while honouring our historical ties to this land.

- 1. A First Nation-led process in determining areas of archaeological potential with the guidance of archaeologists.**
- 2. Communities being involved in the Stage 1 archeological assessments in collaboration with archeologists to identify areas of concern from the onset.**
- 3. Reexamine the archaeological report review process to identify barriers and create solutions that will improve review timelines within the Ontario government.**

Another concern for our community is the proposed immunity clause. Without understanding the details of this clause, it causes concern of the ramifications this may cause. As an example, if human remains are unearthed by



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the construction, and the project was exempted from the requirement to do archaeology, would there be no recourse for First Nation communities to 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. Our Nation believes in building strong, meaningful relationships that are built on transparency, trust, and respect of our Inherent rights to this land. By being part of the archaeological work from the onset, grave mistakes like the one in Nipigon can be avoided and our opportunity to identify ancestral resting places and ancient sites in advance would be respected.

It is expected that proponents of this proposed 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 our ancestors at risk. The power to neglect the history of our People should not be wielded by any government or developer.

We would welcome the discussion of how to streamline permitting processes that make sense to our community while upholding our Inherent and Treaty rights. To maintain a strong society, built on the fundamental truths and respect of our history, we urge you to remove the proposed exemption from Bill 5, and instead pursue other solutions that can be developed in partnership with our community.

If you would like to speak further about developing opportunities for improvement together, we would be happy to sit down and discuss further.

Meegwetch.

Candice Tourville
Taykwa Tagamou Nation