



Animbiigoo Zaagi'igan Anishinaabek

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Hon. Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Hon. Stephen Lecce
Minister of Energy and Mines
Ministry of Energy and Mines
77 Grenville St, 10th Floor
Toronto, ON M7A 1B3

Hon. Graydon Smith
Minister of Natural Resources and Forestry
Ministry of Natural Resources and Forestry
70 Foster Drive, Suite 400
Sault Ste. Marie, ON P6A 6V5

May 16, 2025

RE: Formal Objection to Bill 5 – Protect Ontario by Unleashing our Economy Act, 2025

Dear Premier Ford, Minister Lecce, and Minister Smith,

On behalf of Animbiigoo Zaagi'igan Anishinaabek, this letter is a formal objection to Bill 5: Protect Ontario by Unleashing our Economy Act, 2025. This legislation, as currently drafted, presents serious risks to our Aboriginal and Treaty rights, our stewardship obligations to the land, and the principles of reconciliation, as affirmed by Section 35 of the Constitution Act, 1982 and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Despite being presented as a tool for economic efficiency, it threatens our long-standing responsibilities to our lands and waters. We are deeply concerned that this legislation was developed and introduced without formal consultation with our Nation, or any other First Nation community, despite its broad implications for land use, environmental protection, mining, and infrastructure development across Ontario.

Background on the Government's Intent

We understand that the Government of Ontario has introduced Bill 5 to advance several policy objectives, including:

- Expediting project approvals for mining, energy, and infrastructure development;
- Creating Special Economic Zones (SEZs) to attract investment by suspending or modifying regulatory requirements;
- Reducing perceived administrative “red tape” across sectors, particularly in the critical minerals and energy domains;
- Centralizing ministerial discretion to control project timelines and override existing agreements, permits, and claims;
- Replacing the Endangered Species Act, 2007, with a more discretionary framework under the Species Conservation Act, 2025.

We acknowledge that economic development is important for all Ontarians, including First Nations. However, prosperity must not come at the expense of constitutional rights, ecological integrity, and good-faith relationships between First Nations and the Crown.

Basis for Our Objection

Our objection to Bill 5 is based on the following substantive and procedural concerns:

1. **Lack of Consultation:** There has been no consultation with our Nation, or any indication that the Crown intends to fulfill its legal duty to consult and accommodate before the passage or implementation of this legislation.
2. **Risk to Section 35 Rights:** Several provisions (e.g., SEZ exemptions, ministerial cancellation of mining claims, and environmental assessment removals) directly or indirectly threaten our ability to exercise our rights to land, waters, culture, and governance.
3. **Displacement of Environmental Protections:** The repeal of the Endangered Species Act and the revocation of environmental agreements (such as the Eagle’s Nest EA agreement) signal a fundamental disregard for First Nation values, ecological justice, and shared stewardship.
4. **Legal Immunity Clauses:** The inclusion of “no cause of action” language throughout Bill 5 attempts to shield the Crown and proponents from accountability and may limit our recourse through the courts if our rights are infringed.
5. **Undermining of Reconciliation:** The legislation undermines Ontario’s commitments to reconciliation and its obligations under UNDRIP, particularly concerning free, prior, and informed consent (FPIC).

Our Demands

Given the above concerns, Animbiigoo Zaagi’igan Anishinaabek respectfully demands that:

1. The Government of Ontario suspend further consideration of Bill 5 until meaningful consultation with affected First Nations has occurred;

2. The Crown commit to co-developing any regulatory frameworks affecting SEZs, conservation, or mining approvals in our traditional territories;
3. All SEZ designations are subject to prior consultation and accommodation, including the right to withhold consent where our rights or lands are affected;
4. Provisions that extinguish legal remedies or permit unilateral ministerial actions without due process be removed or significantly amended.

Conclusion

We are not opposed to responsible development. However, development that ignores the law, overrides our rights, disregards Mother Earth and proceeds without our involvement is unacceptable. Bill 5, as currently drafted, represents a step backwards in the relationship between the Crown and First Nations in Ontario.

We request a formal response to this letter within 30 days and welcome the opportunity to meet with the responsible Ministers to discuss our concerns further.

Respectfully,

A handwritten signature in blue ink, appearing to read "K. Morrisseau". The signature is fluid and cursive, with a large loop at the end.

Kyla Morrisseau

Consultation Coordinator

Animbiigoo Zaagi'igan Anishinaabek