



**FORT CHIPEWYAN
MÉTIS ASSOCIATION**

August 6, 2025

The Honorable Julie Dabrusin
Minister
Environment and Climate Change Canada
House of Commons
Ottawa, ON
K1A 0A6

Via Email: ministre-minister@ec.gc.ca

Dear Minister Dabrusin:

RE: Request for Designation of Pathways Alliance's Pathways CO₂ Transportation Network and Storage Hub Foundational Project in Alberta ("Pathways Project") under the *Impact Assessment Act*

The Pathways Alliance is proposing to construct and operate a carbon capture, transportation and storage project that extends from northeastern Alberta to central Alberta. As proposed, the Pathways Project is intended to transport captured carbon dioxide (CO₂) by pipeline from oil sands facilities in the Fort McMurray, Christina Lake, and Cold Lake Alberta regions to an underground CO₂ storage hub. Project components include CO₂ capture facilities, CO₂ transportation pipelines and CO₂ injection wells. The Project aims to reduce oil sands facilities' operational air emissions to help achieve net zero emissions by 2050.

The Pathways Project is anticipated to create direct and adverse impacts that fall within the Federal jurisdiction to manage and address (further described below). As such, the Fort Chipewyan Métis Nation (FCMN), respectfully request that the Pathways Project be designated under section 9(1) of the *Impact Assessment Act* (IAA).

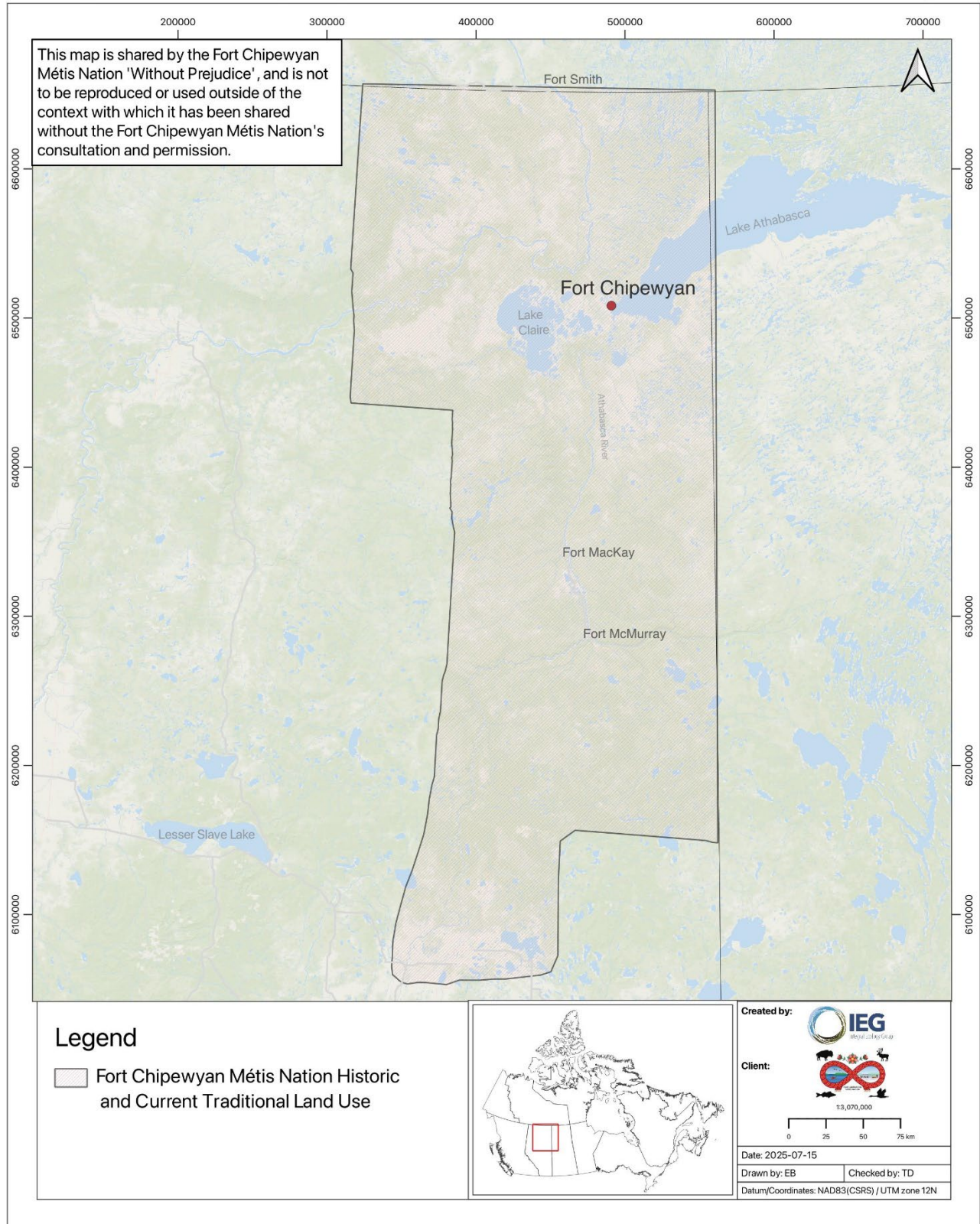
The Fort Chipewyan Métis Nation

The Fort Chipewyan Métis Nation is a Métis rights-bearing community based in the community of Fort Chipewyan, Alberta with a traditional territory that encompasses the northeastern Alberta Athabasca oil sands region (Figure 1). The FCMN's historical and contemporary exercise of rights is well documented throughout the territory, and the territory highlighted in Figure 1 represents the area of FCMN's contemporary use based on current use interviews collected from several knowledge holders in the community. The FCMN traditional territory has sustained FCMN's culture and way of life for generations. The territory provides a resource base that is relied upon by land users that actively exercise their constitutionally protected rights to hunt, fish, trap among other rights-based activities. The territory is also home to cultural heritage, ancestral sites and sacred sites that are integral to FCMN's culture and way of life. As discussed below, the FCMN's traditional territory has (and continues to) experience extensive industrial development that has resulted in cumulative effects to FCMN's rights that are not assessed or mitigated, resulting in impacts to FCMN's culture and way of life.



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Figure 1. Fort Chipewyan Métis Nation Historic Traditional Territory





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A vast majority of the proposed Pathways Project is within FCMN's traditional territory where existing oil sands disturbance is extensive, and, if approved, the Pathways Project will result in direct and adverse impacts to the FCMN.

Rationale for Request for Designation

Based on information made available to the FCMN, the Pathways Project is anticipated to result in the following adverse effects to the FCMN's ability to exercise its rights as well as the traditional resources that it relies upon to exercise those rights. These adverse effects fall under Federal jurisdiction, including:

1. Impacts to FCMN Section 35 Rights and Cultural Way of Life

The Pathways Project stands to directly and adversely affect the FCMN's cultural way of life, and their ability to exercise its Section 35 Rights, which are guaranteed under the *Constitution Act, 1982*. The Pathways Project is further taking up of lands within FCMN's traditional territory; a landscape that is already heavily disturbed by oil sands development. The Pathways Project is also expected to directly and adversely impact the resources upon which FCMN Rights-holders rely upon to exercise their Rights (further described below).

An assessment of impacts to the FCMN is impeded by (a) the lack of a requirement for an impact assessment for the Project and (b) the absence of capacity funding for FCMN to undertake a community-led assessment of potential impacts, including a project-specific Cultural Impact Assessment. Further, the FCMN does not have bi-lateral agreements with many of the Pathways Alliance partners, which would be an effective vehicle for understanding and addressing project-specific impacts, including establishment of agreed-upon mitigation and accommodation measures. In sum, there is no way for the FCMN to assess impacts of the Project, to have confidence that appropriate mitigation and accommodation measures will be established and to engage in consultation with the Crown to ensure that the Crown's constitutional responsibilities are discharged.

Regarding the Crown's duty to consult and accommodate, if the Government of Alberta does not require a full environmental impact assessment for the Project, then it is the responsibility of the Federal Crown to ensure that project-specific impacts are adequately assessed, mitigated and accommodated where mitigation and management is not possible. A Federal review of the Project would ensure an appropriate review of the Project and ensure that the Crown's fiduciary obligations regarding impacts to Indigenous rights is upheld.

2. Impacts to Traditional Resources

The Pathways Project is expected to directly and adversely impact the traditional resources upon which the FCMN relies to exercise its Section 35 Rights and sustain its cultural Way of Life. These impacts are expected to occur through construction activities which will result in forest clearing, soil stripping, and generation of noise and dust. Impacts from construction will extend to vegetation, water and wildlife resources. Project watercourse crossings could create long-term impacts to waterways including waterways with fish bearing habitat (including waterways governed by the *Fisheries Act*). Project impacts to wildlife and wildlife habitat are possible during construction and operation, including species governed by the Federal *Species at Risk Act* (Woodland Caribou). FCMN is concerned that the Pathways Project will further contribute to the continued deterioration of the quality and quantity of these traditional resources within FCMN's traditional territory. The Pathways Project must



be considered in the context of the existing extensive industrial development in northeastern Alberta, and the existing impacts to FCMN's cultural resources and way of life.

3. Project Risk

FCMN is concerned about the risks of the Pathways Project to the environment and to the safety of its land users. This type of CO₂ pipeline development and technology is unprecedented in the region. In response to community concerns regarding project risk, Pathways continually points to adhering to “best practices” to mitigate Project risk. Pathways also points to existing “stringent” regulatory requirements, noting that these regulatory requirements are designed to keep the environment and communities safe. What is lacking however is any substance of what these ‘best practices’ are and how and what mitigation will be employed to mitigate risks to both the environment and more specifically, Indigenous land users. Additionally, as a novel technology, yet to have been demonstrated in the Athabasca Oil Sands region, it is not clear how existing regulatory requirements will adequately regulate the construction and operation of the project. It is FCMN's experience that adherence to standard “best practices” coupled with existing regulatory requirements **are not protective** of FCMN's way of life and rights, and there is very little accountability required by the regulator to address impacts when they do occur. There are several well documented examples where adherence to “best practices” and the existence of “stringent” regulatory requirements have failed to protect the environment and local communities¹.

Pipeline's transporting CO₂ are not well understood in the Canadian context and have a different risk profile than pipelines transporting other substances. For example, in 2020, a CO₂ pipeline ruptured in Mississippi, USA². This rupture resulted in the dispersion of CO₂ which is a suffocating gas that is deadly in concentrated forms because it displaces oxygen. The 2020 incident in Mississippi resulted in the town of Satartia, Mississippi, USA residents to lose consciousness and the town to be evacuated. This example highlights that these risks are not theoretical and that FCMN's concerns are valid. FCMN is extremely concerned about the potential for an incident like this to occur within FCMN's traditional territory, if the Pathways Project is approved. If a CO₂ pipeline rupture occurred in the vicinity of FCMN members on the land, the outcomes could be catastrophic and fatal.

In addition to physical safety and health risks, FCMN is also concerned about impacts to the environment and cascading impacts to FCMN member health and well-being. In 2024, the FCMN completed a FCMN Traditional Foods, Medicines, and Drinking Water Study. The study confirmed what the FCMN have been sharing with industrial developers and decision-makers - that the FCMN diet is high in wild foods (including medicines used for health and healing). Data collected for the study provide a clear indication that FCMN members rely heavily on traditional foods and medicines in their current Way of Life, spend more time on the land than considered in prescribed land use categories with higher exposure durations (i.e., breastfeeding duration, bush water intake rates, exposure routes for medicinal plant species) that differ than those reported in Health Canada (2022)³ and generally

¹ <https://www.cbc.ca/news/canada/edmonton/syncrude-to-pay-3m-penalty-for-duck-deaths-1.906420>;
<https://environmentaldefence.ca/2023/11/27/from-toxic-leak-to-cover-up-unravelling-the-imperial-oil-scandal-in-albertas-oil-sands/>; <https://www.cbc.ca/news/canada/calgary/cnrll-well-leak-alberta-primrose-bitumen-1.3859564>

² <https://www.cbc.ca/radio/whatonearth/carbon-dioxide-pipeline-satartia-1.7482854>

³ Health Canada. 2022. Canadian exposure factors used in human health risk assessments. Available at: <https://www.canada.ca/en/health-canada/services/chemical-substances/fact-sheets/canadian-exposure-factors-human-health-risk-assessments.html>



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relied on by risk practitioners conducting human health risk assessments for industrial development. In this context of project risk and the potential for direct impacts to the local environment, the FCMN is a particularly vulnerable population. Pathways has not provided information to the FCMN regarding what these potential risks are or how they have been assessed and/or mitigated.

4. Cumulative Effects

Northeastern Alberta is one of the most intensely developed regions in Canada, where the Pathways Project will only contribute to existing impacts to air quality, water quality and quantity, aquatic ecology, wildlife and wildlife habitat, vegetation resources, human health and well-being, cultural and ancestral heritage, socio-economic conditions and traditional land uses, exercise of rights and cultural pursuits. Industrial developers continue to make applications for resource development projects in the region whereby either (a) a cumulative effects assessment is not required or (b) where a cumulative effects assessment is required, but the proponent's assessment determines that these effects are negligible because they are using their reference point as a "current" baseline where extensive cumulative effects already exist, rather than comparing to a pre-development baseline. This represents a major flaw in the regulatory process in that cumulative effects are rarely appropriately assessed for the full scope of development that has occurred in the region over the past ~60 years. The outcome of cumulative effects 'assessments' are not aligning with the lived experiences of FCMN's traditional land users, where the predevelopment landscaped supported unfettered, safe access to the land for cultural use and practice. Any expansion of development in this region will magnify the existing impacts felt by FCMN land users and put further pressures on FCMN's way of life and Rights-based practice. The Pathways Project is a major project and proposed new technology supporting the largest operators in the region, yet the Alberta Energy Regulator has not required the proponent to prepare an environmental impact assessment, including a cumulative effects assessment and a cultural impact assessment.

The FCMN shares the concerns of Mikisew Cree First Nation that rather than the Pathways Project addressing carbon-induced climate change, that it will ultimately facilitate continued expansion of oil sands development in northeastern Alberta. Not only will this scenario negate Pathways' stated objectives regarding greenhouse gas emission reduction, but it will accelerate (not address / reduce) industrial development in the region. To-date, cumulative effects have not been adequately assessed, characterize or mitigated in northeastern Alberta. Cumulative effects to the land and its resources are the key drivers of impacts to FCMN's way of life.

Conclusion

The Pathways Project is a major project that engages several areas of Federal jurisdiction by way of anticipated direct and adverse impacts to natural environment, the health, social and cultural conditions of Indigenous Peoples and the potential for harm to interprovincial waters, including the Athabasca watershed, Beaver River and North Saskatchewan River. The Pathways Project has the potential to result in direct and adverse impacts to Section 35 Rights, to species governed by the *Species at Risk Act* and waterways governed by the *Fisheries Act*. As such, the FCMN respectfully requests that the Pathways Project be designated under section 9(1) of the *Impact Assessment Act*. Further, a federal assessment would allow for FCMN and other affected communities to be provided a meaningful opportunity to review the impacts of the Project to their lands, cultural resources, cultural way of life, and rights.



**FORT CHIPEWYAN
MÉTIS ASSOCIATION**

Sincerely,


<original signed by>

Carmen Wells
FCMN Lands & Regulatory Director

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cc:

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