



Impact Assessment
Agency of Canada

Ontario Region
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Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

Région de l'Ontario
600-55 rue York
Toronto ON M5J 1R7

October 19, 2020

Sent by email

Chief Bruce Achneepineskum
Marten Falls First Nation
General Delivery
Ogoki Post ON P0T 2L1
bruce.achneepineskum@gmail.com

Dear Chief Bruce Achneepineskum:

Subject: Invitation to Apply for Participant Funding and Information on Next Steps in the Impact Assessment Process

On September 16, 2020, the Impact Assessment Agency of Canada (the Agency) provided advance notice of an upcoming opportunity to apply for participant funding to support your community's participation in the federal impact assessments of the Marten Falls Community Access Road Project and the Webequie Supply Road Project.

The objective of this letter is to:

- invite your community to apply for participant funding through the Agency's Participant Funding Program during the current application period starting on October 19, 2020 and ending on **November 30, 2020** (Enclosure 1);
- share a guide titled "How to Participate During the Federal Impact Assessment", which provides information on how your community could participate in the project assessments (Enclosure 2); and
- provide an overview of Agency expectations for proponent-led engagement activities, proponent conduct and Marten Falls First Nation's use of participant funding.

Participant Funding

The Agency's Participant Funding Program provides limited funding to assist Indigenous groups to prepare for and participate in Agency-led Indigenous consultation activities and Agency-led participation opportunities. Information about the Participant Funding Program and National Program Guidelines, including eligible expenses and activities, can be found at: <https://www.canada.ca/en/impact-assessment-agency/services/public-participation/participant-funding-application-environmental-assessment.html>

For your convenience, the Agency has developed a single application form that covers funding opportunities for both the Marten Falls Community Access Road Project and the Webequie Supply Road Project. Sections 1 through 7 of the application form require general information that is applicable to both project assessments. Section 8 of the form is for your funding request to support your participation in the federal assessment of the Marten Falls Community Access Road Project, while Section 9 is for support during the Webequie Supply Road Project federal assessment. Both Section 8 and Section 9 must be completed to apply for funding for both projects.

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If Marten Falls First Nation is interested in applying for one or both of these funding opportunities, please complete the attached Participant Funding Program Application Form (Enclosure 1) accordingly and submit it to Nathalie Boivin, Senior Funding Officer, by **Monday November 30, 2020**, via email at IAAC.FP-PAF.AEIC@canada.ca. If you have any questions regarding the application form, please feel free to contact Nathalie by phone at 613-864-2902.

COVID-19 Constraints to Participation

The Agency acknowledges that current circumstances due to the COVID-19 pandemic may affect your community's ability to apply to the participant-funding program by the November 30, 2020 deadline. The Agency remains flexible and able to adapt our conduct as necessary to prioritize the health and safety of your community. Please let the Agency know if you will be unable to submit your application by the deadline so the Agency can work with your community to identify an alternative submission date.

Information on Future Participation Opportunities

To assist your community's development of an application to the Participant Funding Program, the Agency has provided a guide titled "How to Participate During the Federal Impact Assessment" (Enclosure 2). This guide provides an overview of the types of participation opportunities related to activities identified in the project-specific Indigenous Engagement and Partnership Plans and the information that the Agency would be seeking from your community during the impact assessments of both projects. To support your meaningful participation in the assessment process, feel free to use this guide to inform the details of your community's application form and budget.

Regional Assessment of the Ring of Fire Area

If you have an interest in the Regional Assessment in the Ring of Fire area, please note that a separate opportunity to apply for funding will be announced at a later date. You may direct questions to the Regional Assessment team at IAAC.RegionalROF-CDFRegionale.AEIC@canada.ca.

Agency Expectations Regarding Proponent-led Engagement Activities

Marten Falls First Nation, as the proponent, must engage with Indigenous groups to collect information and conduct studies to develop the Impact Statement as outlined in the Tailored Impact Statement Guidelines (the Guidelines) for the Marten Falls Community Access Road Project. Marten Falls First Nation should consider all Indigenous groups listed in the Indigenous Engagement and Partnership Plan equitably regarding all aspects of the Marten Falls Community Access Road Project. Particular attention should be paid to engagement on baseline information collection and the potential effects of the Project.

- Section 6 of the Guidelines expects the proponent to work with Indigenous groups during the preparation of the Impact Statement, including to provide opportunities for Indigenous groups to share Indigenous knowledge during baseline data collection.

- Section 6 of the Guidelines expects the proponent to work with Indigenous groups to understand what kinds of approaches to engagement would create safe spaces for meaningful dialogue to enable full and free participation of all community members, including different sub-populations (e.g., Elders, women and youth), in the engagement process.
- Sections 6.2 and 6.3 of the Guidelines state that the proponent must document in the Impact Statement how they responded to questions, comments and issues raised by Indigenous groups, and how unresolved matters have been addressed including a description of the efforts to discuss and validate with Indigenous groups how the information they provided was applied to the selection of valued components, indicators, effects assessment, mitigation measures and follow-up programs, and conclusions.
- Section 7.2 of the Guidelines outlines sources of information the proponent may use for the gathering of baseline information, including community based monitoring and studies conducted by Indigenous groups.
- Section 7.3 of the Guidelines requires that the proponent engage with Indigenous groups to inform, validate and finalize the list of valued components for the proponent's studies.
- Section 7.4 encourages the proponent to engage with Indigenous groups in defining spatial and temporal boundaries for valued components.

In addition, Section 6 of the Guidelines indicates that Marten Falls First Nation must, with respect to the impacts on the exercise of rights, clearly articulate in the Impact Statement the assessment of potential impacts on the rights of the Indigenous groups identified in the Indigenous Engagement and Partnership Plan, during all project phases.

Proponent Conduct and Participant Funding

For Marten Falls First Nation, as the proponent, the Agency's expectations with respect to proponent-led activities for the Marten Falls Community Access Road Project includes engaging community members of Marten Falls First Nation according to the requirements of the Guidelines.

Marten Falls First Nation, not the proponent but a potentially affected Indigenous group, is identified in the Indigenous Engagement and Partnership Plan and is eligible to apply for participant funding to support the community's participation in, or preparation for, the Agency-led activities described in the Indigenous Engagement and Partnership Plan. If Marten Falls First Nation becomes a recipient of participant funding, then the community leadership is expected to avoid any perceived conflicts of interest in its conduct, or the conduct of its service providers, in relation to the use of participant funding. Marten Falls First Nation should not use participant funding for proponent-led activities. Funding Programs will not fund activities that duplicate services, studies, or written materials that are funded by other public or private sources.

Status of the Impact Assessment Process and Time Limit Management

According to the *Impact Assessment Act* (IAA), the proponents, Marten Falls First Nation and Webequie First Nation, have three years from the date of the Notice of Commencement (February 24, 2020) to provide the Agency with the information or studies that are set out in their respective Tailored Impact Statement Guidelines.

The three-year time limit ends for these projects on February 24, 2023.

Prior to the end of the three-year time limit, IAA has provisions that allow a proponent to request an extension of the time limit to provide the Agency with the information or studies needed to conduct the impact assessment. If there were to be an extension of the time limits for the road project assessments, the Agency would notify all Indigenous groups listed in the respective Indigenous Engagement and Partnership Plans.

Invitation to Participate in a Teleconference with the Agency

In the coming days, your community may receive concurrent emails or letters pertaining to the Regional Assessment in the Ring of Fire area. The Agency would be pleased to arrange a follow-up teleconference or virtual meeting (the Agency currently uses MS Teams or WebEx) to discuss any of these correspondence. If you receive multiple pieces of correspondence, please feel free to reply once and indicate the topics or correspondence you wish to focus the discussion. The Agency will work internally to ensure your requests are supported.

The Agency team working on the Regional Assessment in the Ring of Fire area and the Agency team working on the impact assessments of the Webequie Supply Road and Marten Falls Community Access Road Projects continue to work together and share the input we receive from participating Indigenous groups.

Please do not hesitate to contact me at 647-391-8426 or *IAAC.MartenFalls.AEIC@canada.ca* or *IAAC.Webequie.AEIC@canada.ca*, if you would like to participate in a follow-up discussion. The Agency looks forward to a continued, positive working relationship with your community.

Sincerely,

<Original signed by>

Laura DeCoste
Crown Consultation Coordinator, Ontario Region

Enclosures:

1. Participant Funding Program Application Form;
2. Guide: How to Participate During the Federal Impact Assessment

c.c.: Tom Moonias, Marten Falls First Nation