



Impact Assessment
Agency of Canada

Ontario Region
600-55 York Street
Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

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

February 24, 2020

Sent by email

Chief Bruce Achneepineskum
Marten Falls First Nation
General Delivery
Ogoki Post ON P0T 2L1
<email address removed>

Dear Chief Achneepineskum:

**Subject: Notice of Commencement of the Impact Assessment for the
Marten Falls Community Access Road Project**

On February 24, 2020, the Impact Assessment Agency of Canada (the Agency) posted a Notice of Commencement on the Canadian Impact Assessment Registry Internet site (the Registry) regarding an impact assessment pursuant to the *Impact Assessment Act* (IAA) for the Marten Falls Community Access Road Project (the Project). The Project is now in the impact statement phase of the federal impact assessment.

The objective of this letter is to:

- Provide you with the finalized Tailored Impact Statement Guidelines (the Guidelines), (Enclosure 1);
- Provide you with the finalized Indigenous Engagement and Partnership Plan (IEPP), (Enclosure 2);
- Demonstrate how comments were incorporated into the finalized Guidelines and IEPP (Enclosure 3);
- Share the Agency's preliminary understanding of the potential adverse impacts of the Project on Marten Falls First Nation's exercise of rights (Enclosure 4);
- Identify the next steps in the impact assessment process and opportunities for Marten Falls First Nation, as a potentially impacted Indigenous group as well as the proponent, to continue to participate in the impact assessment for the Project (Enclosure 5);

.../2



Finalized Guidelines and Indigenous Engagement and Partnership Plan

Thank you for providing your comments to the Agency during the recent comment period on the Guidelines and the IEPP from December 19, 2019, to January 28, 2020. Marten Falls First Nation's comments helped to define the scope and factors to be studied during the federal impact assessment.

Your input is reflected in the final planning phase documents. For further information on comments received by the Agency on the Project and how the Agency considered comments and incorporated them into the final planning phase documents, please see the attached Summary Table of the Comments (Enclosures 3).

The Agency has published the Notice of Commencement, the Guidelines, the IEPP, the Public Participation Plan, the Permitting Plan and the Cooperation Plan with the Province of Ontario, on the Registry. To access a digital copy of these documents, please see the following link: <https://ceaa-acee.gc.ca/050/evaluations/proj/80184?culture=en-CA>

Next steps

Engagement with potentially impacted Indigenous groups

Marten Falls First Nation must engage with Indigenous groups and the public, collect information and conduct studies to develop the Impact Statement as outlined in the Guidelines. As noted during the review of the Initial Project Description and Detailed Project Description, Marten Falls First Nation should consider all Indigenous groups listed in the IEPP equitably regarding all aspects of the Project. Particular attention should be paid to engagement on baseline information collection and the potential effects of the Project. The Agency notes that based on information received to date, not all potentially impacted Indigenous groups have been equitably engaged. Of note, the following Indigenous groups have expressed an interest in meetings or teleconferences as well as higher engagement efforts from Marten Falls First Nation: Animbiigoo Zaagi'igan Anishinaabek First Nation, Aroland First Nation, Attawapiskat First Nation, Eabametoong First Nation, Ginoogaming First Nation, Long Lake 58 First Nation, Kashechewan First Nation, Neskantaga First Nation and Nibinamik First Nation.

Preparation and submission of the Impact Statement

Pursuant to section 19(1) of IAA, Marten Falls First Nation must provide the Agency with the information or studies that are set out in the Guidelines within three years from the date of the Notice of Commencement. In accordance with Section 5 of the Cooperation Plan, the Agency requests that a draft of the Impact Statement, which would be the same body of information that constitutes the draft of the Environmental Assessment Report anticipated to be required by the Ontario Ministry of the Environment, Conservation and Parks, be submitted to the Agency.

Technical Discussion of Study Plans

To facilitate the development of a satisfactory Impact Statement, the Agency is available to organize technical meetings with Marten Falls First Nation. In preparation for these meetings, Marten Falls First Nation is expected to inform the Agency about issues and priorities to be discussed during technical meetings by providing detailed and comprehensive study plans at least two weeks in advance to support the technical discussion.

The Agency requests that the schedule for when study plans for all technical areas would be submitted by Marten Falls First Nation be provided to the Agency in the coming weeks. This will enable the Agency to notify federal authorities of planned activities to ensure experts are available at the appropriate timeframes.

Review of the Impact Statement

Upon receipt of the draft of the Impact Statement, the Agency will seek expert advice from federal departments and provincial ministries, in collaboration with the Ontario Ministry of the Environment, Conservation and Parks.

Any deficiencies identified would be submitted to Marten Falls First Nation to address prior to finalizing the Impact Statement. The finalized Impact Statement must clearly indicate how any deficiencies were addressed by way of a response table with references to where changes were made to the Impact Statement. The Agency will review the finalized Impact Statement to determine whether it satisfactorily meets the requirements in the Guidelines. If deficiencies identified in the draft remain unaddressed or unsatisfactorily addressed, the Agency will issue an updated deficiency report. Until all matters have been satisfactory addressed, the Agency would not conclude that the impact statement phase has concluded.

The Agency reminds Marten Falls First Nation that the three year time period indicated in subsection 19(1) of IAA is for the provision of a satisfactory Impact Statement. As such, the Agency would be pleased to provide advice to Marten Falls First Nation on how to manage the timeframe available. Marten Falls First Nation's work plan should contemplate managing the preparation of the Impact Statement, including by incorporating technical discussions, effective engagement with Indigenous groups and the public, and submission of a draft of the Impact Statement (i.e. the draft of the Environmental Assessment Report) as anticipated to be required as part of the provincial environmental assessment process.

Information available to the Crown with respect to the potential adverse impacts of the Marten Falls Community Access Road Project on Marten Falls First Nation's Exercise of Rights.

The information available to the Crown on the Project's potential to cause adverse impacts on Marten Falls First Nation's exercise of rights is summarized in Enclosure 4. Please review this information and provide the Agency with any additional information that you feel would contribute to the Agency's analysis by **March 24, 2020**.

In addition, please see the Guide on How to Participate during the Federal Impact Assessment Process (Enclosure 5). Enclosure 5 provides information about your role as a proponent and outlines the information, including Indigenous knowledge, that you may consider sharing with the Agency.

Indigenous knowledge would help inform the development of your Impact Statement by helping to assess potential effects of the Project and potential impacts on the exercise of rights of Indigenous peoples.

Community Specific Annex to the IEPP

The IEPP provides information on how the Agency will be working with your community during the remaining phases of the impact assessment process for the Project. If you require further activities to support the Agency's consultation with your community, please share your views by **March 24, 2020**. The Agency will be pleased to discuss the development of community-specific annex to the IEPP.

Important Note

Please note that any information submitted to the Agency to inform this project assessment will be made publicly available as part of the project file, and may be posted online via the Canadian Impact Assessment Registry (Reference #80184) subject to certain exceptions related to privacy, security or confidentiality.

The Agency's Submission Policy (<https://iaac.aeic.gc.ca/050/evaluations/participation/conditions>) determines which submitted information can be shared publicly, and what should remain private. For further information on how we protect your privacy, please refer to the Privacy Notice (<https://www.ceaa-acee.gc.ca/050/evaluations/protection?culture=en-CA>).

If you do not want your comment posted on the Registry, please contact us at IAAC.MartenFalls.AEIC@canada.ca or call the Agency at 416-476-5476 prior to submitting your comment.

Participant Funding Program

The Agency will offer additional limited funding, through a contribution agreement, to support the participation of Marten Falls First Nation throughout the subsequent phases of the federal impact assessment process. The Agency will notify your community once a call for applications for this funding is made available. For further information on participant funding and contribution agreements during the next phases of the impact assessment process please visit the following link: <https://www.canada.ca/en/impact-assessment-agency/services/public-participation/participant-funding-application-environmental-assessment.html>.

If you have any additional questions or concerns regarding the participant funding program, please contact Nathalie Boivin, Senior Funding Officer, at 416-476-5476 or IAAC.FP-PAF.AEIC@canada.ca.

Regional Assessment

On February 10, 2020, the Minister of Environment and Climate Change determined that a regional assessment of the Ring of Fire area will be conducted pursuant to IAA. The Agency will work with the Province of Ontario, Indigenous groups, federal authorities, non-government organizations and the public to determine the appropriate activities, outcomes and boundaries of the regional assessment. For more information, please contact Debra Myles via email at debra.myles@canada.ca.

The impact assessment for the Marten Falls Community Access Road Project will proceed as planned during the conduct of the regional assessment.

Invitation to participate in a Teleconference with the Agency

If you have any questions about the above-noted impact assessment documents or any of the issues identified in this letter, the Agency would be pleased to arrange a teleconference to discuss. I will be following up with your community in the coming weeks to confirm whether you are interested in a teleconference and to schedule a date and time.

Please feel free to contact me at 416-476-8915 or at IAAC.MartenFalls.AEIC@canada.ca if you have any questions. I welcome the opportunity to work collaboratively with your community.

Sincerely,

<Original signed by>

Chiara Calabrese,
Project Manager

- Enclosures:
1. Finalized Tailored Impact Statement Guidelines
 2. Indigenous Engagement and Partnership Plan
 3. Summary Table of Comments
 4. Summary of information available to the Crown with respect to the potential adverse impacts of the Marten Falls Community Access Road Project on Marten Falls First Nation's Rights.
 5. Guide on How to Participate During the Federal Impact Assessment Process

c.c.: Bob Baxter, Marten Falls Community Access Road Project team
Jack Moonias, Marten Falls Community Access Road Project team
Lawrence Baxter, Marten Falls Community Access Road Project team
Qasim Saddique, Marten Falls Community Access Road Project Director
Christine Cinnamon, AECOM
Jennifer Bruin, J. Bruin Associates Inc.
Larissa Mikkelsen, Community Consultation Coordinator
Caitlin Cafaro, Crown Consultation Coordinator, Impact Assessment Agency of Canada
Nathalie Boivin, Senior Funding Officer, Impact Assessment Agency of Canada
Agni Papageorgiou, Ontario Ministry of Environment, Conservation and Parks
Sasha McLeod, Ontario Ministry of Environment, Conservation and Parks