



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

April 9, 2020

Sent by email

Chief Leo Metatawabin  
Fort Albany First Nation  
P.O. Box 1  
Fort Albany ON P0L 1H0  
<Email address removed>

Dear Chief Leo Metatawabin:

**Subject: Federal Impact Assessment Process for the Marten Falls  
Community Access Road Project**

Thank you for your correspondence dated December 16, 2019, regarding the Minister of Environment and Climate Change's authority to refer the federal impact assessment for the Marten Falls Community Access Road Project (the Project) to a review panel. The Impact Assessment Agency of Canada understands that all communities are currently prioritizing resources on the response to the COVID-19 pandemic.

***Minister's Decision on Whether to Refer the Project to a Review Panel***

Under the *Impact Assessment Act*, the Minister has the discretionary authority to refer the impact assessment of a project to a review panel within 45 days after the commencement of the assessment. The Minister made a decision not to refer the Project to a review panel and as such, the Project will continue as an Agency-led impact assessment.

In reaching the decision, the Minister considered the factors in subsection 36(2) of the *Impact Assessment Act* and is satisfied that an Agency-led assessment process would be able to address potential adverse effects, consider potential impacts on the exercise of rights of Indigenous people, enable participation by Indigenous groups and the public, and enable coordination of the assessment process with the Province of Ontario.

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***Agency responses to your December 16, 2019 letter***

*Comment about effects within federal jurisdiction and impacts on the exercise of Aboriginal and Treaty rights*

The Agency notes Fort Albany First Nation's concern that the Project may have significant adverse impacts on your community's health, social and economic conditions, environmental consequences to the land, water and animals you rely on, and potential impacts to your Aboriginal and Treaty rights.

As per Section 6.2 of the Tailored Impact Statement Guidelines (Guidelines), Marten Falls First Nation is required to include in its analysis all input received by Indigenous groups. This analysis is to include the identification of potential effects and impacts, including impacts on the exercise of Aboriginal and Treaty rights and the identification of specific valued components where appropriate. The analysis in the Impact Statement must also include consideration of Indigenous knowledge provided by Indigenous groups. The Agency will continue to consult with Fort Albany First Nation to assess the project's impacts on the exercise of your community's Aboriginal and Treaty rights throughout the impact assessment process.

Fort Albany First Nation is welcome to provide written and oral submissions or other specialized information to meet the requirements of the Guidelines. The Agency would also accept submissions to assist with the analysis of impacts on the exercise of your community's Aboriginal and Treaty rights.

During the impact assessment process, the proponent will participate in the Agency-organized meetings with federal authorities and Indigenous groups to provide all parties opportunities to discuss key technical issues during the preparation of the Impact Statement. Additional information regarding these meetings will be available over the coming months, and will consider capacity issues and other priorities related to the COVID-19 pandemic.

*Comment about project effects, including future road and mining projects*

The Agency also acknowledges Fort Albany First Nation's interest in understanding potential project effects, including future road and mining development, and contributing to effective mitigation and monitoring measures.

As per section 22 of the Guidelines, Marten Falls First Nation is required to assess cumulative effects of the Project in their Impact Statement, including historical and potential future developments in the Ring of Fire area, as well as, identifying mitigation measures. Marten Falls First Nation is required to engage Fort Albany First Nation on those topics while developing the Impact Statement.

The Agency recognizes that Fort Albany First Nation may have other priorities at this time, and would welcome a meeting to discuss these points after the COVID-19 pandemic has settled.

If you have any further questions regarding this letter, please feel free to contact me at 416-476 5476 or at IAAC.MartenFalls.AEIC@canada.ca. I welcome the opportunity to work collaboratively with your community.

Sincerely,

<Original signed by>

Caitlin Cafaro  
Crown Consultation Coordinator

c.c.: Chris Metatawabin, Economic Development Officer, Fort Albany First Nation  
Sarah Beamish, Advisor, Beamish Law  
Chief Bruce Achneepineskum, Marten Falls First Nation  
Qasim Saddique, Marten Falls Community Access Road, Project Director  
Agni Papageorgiou, Ontario Ministry of Environment, Conservation  
and Parks  
Sasha McLeod, Ontario Ministry of Environment, Conservation and Parks