



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

January 26, 2021

Sent by email

Chief David Nakogee
Attawapiskat First Nation
P.O. Box 248
Attawapiskat ON P0L 1A0
<Email address removed>

Dear Chief Nakogee:

Subject: Comments Raised due to the November 30, 2020, Announcement of the Northern Road Link Voluntary Agreement

Thank you for your letter dated December 11, 2020, acknowledging receipt of the letter from Marten Falls First Nation and Webequie First Nation about the Northern Road Link voluntary agreement, expressing your views on having multiple assessments and timing of the regional assessment versus the individual assessments, and requesting a pause of the assessments until COVID-19 safety measures are lifted in Indigenous communities.

Comments Related to Weakness with Multiple, Individual Assessments Approach

Your letter expressed Attawapiskat First Nation's concern that road access to the Ring of Fire area being evaluated through a series of individual assessments may not consider long-term, regional and cumulative impacts of development in the area. Potential cumulative effects must be considered as part of the federal impact assessments for the Marten Falls Community Access Road and Webequie Supply Road, as indicated in Section 22 of the Tailored Impact Statement Guidelines (the Guidelines) for each project.¹ The Guidelines for each road project require that reasonably foreseeable projects are included in the cumulative effects assessment.

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¹Tailored Impact Statement Guidelines for the Marten Falls Community Access Road available here:

<https://iaac-aeic.gc.ca/050/documents/p80184/133937E.pdf>

Tailored Impact Statement Guidelines for the Webequie Supply Road Project available here: <https://iaac-aeic.gc.ca/050/documents/p80183/133938E.pdf>



Timelines of the Regional Assessment and Individual Road Assessments

The Agency acknowledges the preference for the Regional Assessment for the Ring of Fire area (Regional Assessment) to be completed before decisions are made on the individual road projects. The time limit of the Regional Assessment is being managed separately from the legislated time limits of the federal impact assessments for the Marten Falls Community Access Road Project and the Webequie Supply Road Project. Information that becomes available through the Regional Assessment may be used to inform current and future, project impact assessments.

The Agency's Regional Assessment team has been copied on this letter. If you have any questions or concerns related to the Regional Assessment, please do not hesitate to contact Virginia Crawford at virginia.crawford@canada.ca or IAAC.RegionalROF-CDFregionale.AEIC@canada.ca

Request for a Pause until COVID-19 Safety Measures Are Lifted

The Agency recognizes the circumstances surrounding the COVID-19 pandemic and the challenges it may present for engagement and consultation for the impact assessment process. Although the Agency cannot pause the time limit, the *Impact Assessment Act* (IAA) has provisions that allow a time limit extension for proponents to provide the Agency with the information or studies needed to conduct the impact assessment.

Currently, Marten Falls First Nation and Webequie First Nation have three years from the date of the Notice of Commencement to provide the Agency with the information or studies that are set out in their respective Guidelines. The three-year time limit ends for these projects on February 24, 2023. 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 Indigenous Engagement and Partnership Plans.

Agency Commitments to Respect COVID-19 Constraints to Participation

Please consider correspondence from us at this time to be informational as we respect the current obstacles that Attawapiskat First Nation faces due to the COVID-19 pandemic. In addition to information-sharing and periodic check-ins with your community, below are the Agency's current commitments respecting COVID-19 considerations at this time:

- The Agency is currently following [guidelines](#)² that have been issued by the Public Health Agency of Canada and local health authorities;

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² <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/guidance-documents.html>

- The Agency has halted in-person and in-community meetings; when a meeting is unavoidable during the current circumstance, we will conduct those activities through digital communications including: teleconference calls and WebEx as appropriate and to the preference of Indigenous groups to discuss projects;
- The Agency remains flexible and able to adapt our conduct as necessary to prioritize the health and safety of communities participating in federal impact assessments;
- The Agency continues to be in touch with proponents to understand how projects are affected by COVID-19; and
- The Agency will provide updates to Indigenous groups about the status of projects at regular intervals.

For further questions regarding the federal impact assessment processes for the Marten Falls Community Access Road Project and the Webequie Supply Road Project, please do not hesitate to contact me, at 647-391-8426 or by email at IAAC.MartenFalls.AEIC@canada.ca or IAAC.Webequie.AEIC@canada.ca.

Sincerely,

<Original signed by>

Laura DeCoste
Crown Consultation Coordinator

c.c.: Chief Cornelius Wabasse, Webequie First Nation
Chief Bruce Achneepineskum, Marten Falls First Nation
Louis Edwards, Attawapiskat First Nation
Wayne Turner, Attawapiskat First Nation
Charles Hookimaw, Attawapiskat First Nation
Pauline Tookate, Attawapiskat First Nation
Dorothee Schreiber, Environmental Consultant
Kate Kempton, OKT Law
Kathleen O'Neill, Ministry of the Environment, Conservation and Parks
Virginia Crawford, Impact Assessment Agency of Canada