



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 28, 2022

Sent by email

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

Dear Chief Nakogee:

Subject: Attawapiskat First Nation's December 15, 2021, Responses to the Impact Assessment Agency of Canada Regarding the Anticipated Assessment Process for the Northern Road Link Project and the Invitation to Participate in a Collaborative Assessment of Impacts on Rights Exercise

Thank you for your two letters of December 15, 2021, which express Attawapiskat First Nation's position regarding the ongoing federal impact assessment processes for the Marten Falls Community Access Road Project and the Webequie Supply Road Project, the anticipated process for the Northern Road Link Project, as well as the Regional Assessment in the Ring of Fire Area. We have shared your letters with others within the Agency for their consideration of your perspectives, notably on the Regional Assessment and a traditional land use and occupancy study.

Request for a Suspension of Project Assessments until Completion of a Regional Assessment in the Ring of Fire Area

The Agency acknowledges Attawapiskat First Nation's preference for the Regional Assessment to be completed before decisions are made on the individual road projects. The Northern Road Link Project is currently in the pre-planning phase. The planning phase will begin when the Agency accepts the Initial Project Description, prepared and submitted by the Proponent. The Marten Falls Community Access Road Project and the Webequie Supply Road Project are in the impact statement phase of their assessment processes, with the Proponents conducting their studies and information gathering.

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Each project assessment process is proponent-driven. The Agency does not have a mechanism to prevent the process start or to pause the time limit of a process that is underway. The power to delay the start of an assessment process or to request a time limit extension of an ongoing process is with the Proponent, as per the *Impact Assessment Act*. If the Proponent delays the process start or if a time limit extension was granted to the Proponent, the Agency would notify potentially affected Indigenous groups of the process status.

Comments Related to Multiple, Project Assessments

The Agency notes your preference to have one assessment for the three roads; however, the Proponent determines the project details. As the Agency received submissions for three proposed projects, there are three assessment processes.

Your letters also expressed concern about how to consider in a regional context the assessments of cumulative effects for the road projects. The cumulative effects assessment for each road project could provide insight into the contribution of potential impacts by each project, in combination with other current and reasonably foreseeable projects within a region.

Agency's Proposed Collaborative Assessment of Impacts on Rights Exercise

Thank you for sharing your thoughts on the Collaborative Assessment of Impacts on Rights exercise. It is a tool that the Agency hopes will clarify our understanding and contribute useful information and insight during project-specific impact assessments. If there is another tool or approach that your community feels could inform our understanding of your community's relationship with the land, please let us know.

Further questions regarding the federal impact assessment processes for the road projects, please contact Heather Nelson, Crown Consultation Coordinator, by phone at 416-200-9174 or by email at *MartenFalls@iaac-aeic.gc.ca*, *NorthernRoadLink-RouteDeRaccordementDuNord@iaac-aeic.gc.ca*, or *Webequie@iaac-aeic.gc.ca*. If you have questions or concerns related to the Regional Assessment, please contact Martyna Krezel, Crown Consultation Advisor, by phone at 647-614-0095 or by email at *Martyna.Krezel@iaac-aeic.gc.ca*.

When submitting information to the Agency, please indicate whether the submission applies to a specific assessment or is relevant for multiple assessment processes.

Sincerely,

<Original signed by>

Amy Sen, Team Leader
On behalf of Anjala Puvananathan, Director, Ontario Region

c.c.: Louis Edwards, Attawapiskat First Nation
Kate Kempton, Olthuis Kleer Townshend LLP
Qasim Saddique, Marten Falls Community Access Road and Northern
Road Link Projects
Michael Fox, Northern Road Link and Webequie Supply Road Projects
Kathleen O'Neill, Ministry of the Environment, Conservation and Parks
Lori Churchill, Ministry of Northern Development, Mines, Natural Resources
and Forestry