



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

Vice-President
Operations

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January 13, 2023

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

Chief Achneepineskum:

On November 4, 2022, the Impact Assessment Agency of Canada (the Agency) received your request for an extension to the three-year legislated time limit under the *Impact Assessment Act* (the IAA), to provide the required information or studies for the impact assessment of the Marten Falls Community Access Road Project (the Project). As per subsection 19(2) of the IAA, at the proponent's request, the Agency may extend the time limit by any period that is necessary for the proponent to provide the Agency with the required information or studies.

Following a review of available information, including the information submitted in your request, the Agency has determined that it will **extend the time limit**. The Agency is of the view that:

- you have demonstrated progress in the development of the required information and studies and have a realistic work plan to complete all work;
- the COVID-19 pandemic and resulting response measures, the 2021 forest fires, and the 2021/2022 winter weather conditions affected your ability to meet the time limit; and
- the extended time limit would allow for continued coordination with the province and help manage consultation fatigue among the Indigenous communities.

Pursuant to subsection 19(3) of the IAA, if the Agency extends the time limit, it may require the proponent to provide it with any additional information or studies that the Agency considers necessary for the conduct of the impact assessment.

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After reviewing the information available to the Agency and views expressed by Indigenous communities, federal authorities and the public, the Agency has determined that no additional (new) information is required to conduct the impact assessment.

However, in preparing the Impact Statement, Marten Falls First Nation is expected to follow updated technical guidance and best practices, in accordance with any project-specific direction issued by the Agency. This includes having to follow the updated technical guide to the Strategic Assessment of Climate Change, which requires the application of a Tier 2 or Tier 3 approach to estimate emissions and removals of greenhouse gases from land-use change in the effects assessment for the Project.

Marten Falls First Nation also is expected to meet the requirements set out in the Tailored Impact Statement Guidelines for the Project in relation to engagement with other Indigenous communities, as necessary, to inform the content of the Impact Statement, including the effects assessment and details on potential impacts on the exercise of Aboriginal and Treaty rights of the communities listed in the Indigenous Engagement and Partnership Plan for the Project. The Agency notes from your request that to date, participation by potentially impacted communities has been low.

Furthermore, the Agency requires that all comments provided by the federal review team, including those provided on the study plans and work plans, as well as the concerns expressed by Indigenous communities and members of the public, be fully addressed in the Impact Statement.

The deadline to provide the Agency with the information and studies required for the impact assessment of the Project is now **July 24, 2026**.

The required information and studies to be provided include the Impact Statement and any additional information or studies that may be identified as a result of:

- the Agency's conformity review of the Impact Statement;
- the public comment period on the Impact Statement Summary;
- the technical review of the Impact Statement by the Agency and federal authorities; and
- associated consultation and engagement by the Agency with Indigenous communities and the province.

If the required information and studies are not provided within the extended time limit that has been granted, the impact assessment for the Project would be terminated in accordance with subsection 20(1) of the IAA. If the impact

assessment is terminated, note that, in accordance with subsection 7(1) of the IAA, proponents of a designated project are prohibited from carrying out any act related to the project that may cause one of the effects listed therein. If the proponent wishes to continue with the project after the termination of the assessment, it must submit an Initial Project Description to the Agency in accordance with section 10 of the IAA.

Please note, your request, this determination, and a notice informing the public of the new time limit will be posted to the Canadian Impact Assessment Registry Internet site at <https://iaac-aeic.gc.ca/050/evaluations/proj/80184>.

If you have any questions, do not hesitate to contact Anjala Puvananathan, Regional Director for Ontario Region, by telephone at 416-952-1576 or by email at martenfalls@iaac-aeic.gc.ca.

Sincerely,

<Original signed by>

Eric Landry