



Impact Assessment
Agency of Canada

Ontario Region
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Toronto ON M5J 1R7

Agence d'évaluation
d'impact du Canada

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

February 21, 2023

Sent by email

Chief Michael Sugarhead
Nibinamik First Nation
General Delivery
Summer Beaver ON P0T 3B0
<Email address removed>

Dear Chief Michael Sugarhead:

Subject: Northern Road Link Project - Invitation to Participate in the Review of the Summary of the Initial Project Description - Request for Comments by March 23, 2023

On January 16, 2023, the Impact Assessment Agency of Canada wrote to Nibinamik First Nation to notify you of the upcoming planning phase for the federal impact assessment of the Northern Road Link Project (the Project) proposed by Marten Falls First Nation and Webequie First Nation (the Proponent).

On February 17, 2023, the Agency accepted the Proponent's Initial Project Description for the Project and the Summary of the Initial Project Description as meeting the requirements of the *Information and Management of Time Limits Regulations* under the *Impact Assessment Act*. The Agency posted both documents to the Canadian Impact Assessment Registry Internet site (Reference #84331 at <https://iaac-aeic.gc.ca/050/evaluations/proj/84331?culture=en-CA>).

As of February 21, 2023, the 180-day planning phase of the impact assessment process commenced. As part of the planning phase for the Project, the Agency is initiating consultation activities with Indigenous communities and engaging the public and other participants. A comment period on the Summary of the Initial Project Description is taking place from February 21, 2023 to March 23, 2023.

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This letter is to:

- (1) invite your community to provide comments by March 23, 2023, on the potential effects of the Project;
- (2) offer an initial grant of \$5,000 to support your community's review of the Proponent's Summary of the Initial Project Description; and
- (1) provide information on the next steps of the impact assessment process and future grant funding opportunities.

Northern Road Link Project

The Proponent is proposing the construction and operation, including maintenance, of an all-season multi-use public highway located in northern Ontario. As proposed, the Project would be about 117 to 164 kilometres long and cross the Attawapiskat River. It would connect the proposed Marten Falls Community Access Road and the proposed Webequie Supply Road. The highway would become part of a future all-season road network connecting mineral development activities in the Ring of Fire area to the provincial highway system at Nakina, Ontario.

Request for Comments by March 23, 2023

The Agency is seeking your initial views on the potential effects of the Project to inform the Agency's development of the Summary of Issues, and its decision as to whether the Project requires an impact assessment. **Comments from your community are requested by March 23, 2023.**

If an impact assessment is required, your comments would also inform the preparation of draft Tailored Impact Statement Guidelines for the Proponent and draft planning documents such as an Indigenous Engagement and Partnership Plan for the impact assessment process.

The Agency is seeking your initial views on the following, by March 23, 2023:

- Any environmental effects and impacts of the Project that are of concern to your community, including any anticipated effects and impacts that are not listed in the Summary of the Initial Project Description.

- How the Project and associated effects could result in positive or negative changes to your community's:
 - health conditions (such as country foods, drinking water, air quality, drugs and/or alcohol misuse, mental health and wellbeing);
 - economic conditions (for example economic development, access to jobs, cost of living, access to housing, access to public services, community safety, recreational activities);
 - social conditions (such as community safety, food security, education, local housing, access to services and resources);
 - physical and cultural heritage (for example ceremonial sites, burial sites, cultural landscapes);
 - current use of lands and resources for traditional purposes (such as hunting, fishing, trapping); and
 - structures, sites, or things of historical, archaeological, paleontological or architectural significance (for example artifacts, important historical buildings or symbols).
- Any potential impacts on your community's exercise of Aboriginal and/or treaty rights as protected under section 35 of the *Constitution Act, 1982*. A map of the Project from the Initial Project Description (Enclosure 1) is attached to this letter to help you identify any potential impacts that are relative to the location of the Project.
- Preferences and expectations of both Agency consultation activities and Proponent engagement activities in relation to the Project.

Comments, including letters, on the Project can be provided to the Agency via the *Submit a Comment* feature available on the Project's Registry page (Reference # 84331 at <https://iaac-aeic.gc.ca/050/evaluations/proj/84331?culture=en-CA>), or submitted by email to NorthernRoad-RouteDuNord@iaac-aeic.gc.ca.

Confidentiality

Information submitted to the Agency to inform this project assessment process may be posted online to the Canadian Impact Assessment Registry (Reference # 84331), subject to certain exceptions related to privacy, security or confidentiality. The Agency's Submission Policy (<https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>) describes what submitted information can be shared publicly, and what should remain private. For more information on how we protect your privacy, please refer to the Privacy Notice (<https://www.iaac-aeic.gc.ca/050/evaluations/protection?culture=en-CA>).

Indigenous Knowledge shared in confidence is protected from disclosure under section 119 of the *Impact Assessment Act* (the IAA), except if written consent is provided, or if the information is publicly available. In addition, Indigenous Knowledge shared in confidence could be shared with certain parties if disclosure is necessary for procedural fairness and natural justice or for use in legal proceedings. This ensures that interested persons have a fair opportunity to participate in processes that would likely affect their interests, and that they have access to all necessary information and evidence relied on by the decision-maker.

Should you wish to provide any comments or documents that contain confidential or sensitive information that should be protected from release to the public, please contact Caitlin Cafaro at NorthernRoad-RouteDuNord@iaac-aeic.gc.ca **before** submitting the information. This will ensure that your submission is handled appropriately. Note: the Agency will consult with you prior to disclosing Indigenous Knowledge shared in confidence under an exception.

Next Steps

Comments received by March 23, 2023, will inform the development of a Summary of Issues prepared by the Agency, which will include the issues raised by Indigenous communities and other participants. The Agency will provide the Summary of Issues to the Proponent and post a copy to the Registry.

The Proponent will be required to submit a Detailed Project Description and Response to the Summary of Issues, to the Agency. The Proponent's documents and input from Indigenous communities and other participants during the comment period will be considered by the Agency in its decision on whether to require a federal impact assessment for the Project.

If a federal impact assessment is required, the Agency will lead consultation efforts on behalf of the Government of Canada, to foster a meaningful and responsive two way dialogue with Nibinamik First Nation in respect of the Project and any potential impacts it may have on the exercise of Aboriginal and/or treaty rights.

Consultation Fatigue

The Agency recognizes that it can be challenging to participate in consultation and engagement activities for multiple assessment processes that are subject to similar timeframes. The Agency teams working on the Regional Assessment and the assessments for the Marten Falls Community Access Road Project and Webequie Supply Road Project continue to focus on creating efficiencies to address consultation fatigue, such as coordinating activities and sharing the input received from Indigenous communities, where possible.

As you share information with the Agency during the assessment process for the Project, please feel free to identify any information that can be considered across multiple assessment processes.

Participant Funding Program Grants

To support your community's review of the Summary of the Initial Project Description, the Agency is able to offer your community a grant of **\$5,000.00**. Please respond to *NorthernRoad-RouteDuNord@iaac-aeic.gc.ca* to confirm your interest in this grant funding opportunity, and the Agency's Funding Programs will follow up with you.

If a federal impact assessment is required, another grant of **\$5,000.00** will be offered to support your community's involvement in the development of the Agency's Tailored Impact Statement Guidelines and the Indigenous Engagement and Partnership Plan. The Agency also will offer additional funding throughout subsequent phases of the impact assessment to support Nibinamik First Nation's continued participation. More information on the Agency's Funding Programs and the federal impact assessment process can be found on the Agency's website:

<https://www.canada.ca/en/impact-assessment-agency/services/public-participation/funding-programs.html>

An overview of eligible activities and expenses is enclosed (Enclosure 2).
If Nibinamik First Nation would like to use this funding, please contact
fp-paf@iaac-aeic.gc.ca.

Contacting the Agency

The Agency will contact you to confirm your receipt of this letter and to discuss your interest in a meeting on the Project during the comment period on the Summary of the Initial Project Description. In the meantime, if you have questions, you may reach me at *NorthernRoad-RouteDuNord@iaac-aeic.gc.ca*.

Sincerely,

<Original signed by>

Caitlin Cafaro
Senior Consultation Analyst

Enclosures: Enclosure 1: Project Location Map – Northern Road Link Project
Enclosure 2: Overview of Eligible Expenses and Activities

c.c.: Walter Oskineegish, Band Manager, Nibinamik First Nation
Alex Monem, PST Law
Alexandria Winterburn, PST Law
Byron Wapoose, Economic Development Officer, Nibinamik First Nation