

Enclosure 1: Summary of Information on Potential for Impacts on Neskantaga First Nation from the Northern Road Link Project

This **draft** document was prepared by the Impact Assessment Agency of Canada (the Agency) to set out the Agency's preliminary understanding of the potential for impacts on Neskantaga First Nation, due to the Northern Road Link Project (the Project). The Agency is seeking to learn about direct impacts the Project could have on the exercise of Neskantaga First Nation's Aboriginal and Treaty rights. There are prompting questions in this document, which the Agency hopes could guide your input to the Agency. The Tailored Impact Statement Guidelines for the Project will identify the valued components that the Proponent will be required to study during the preparation of its Impact Statement.

As additional information about impacts of the Project that are specific to Neskantaga First Nation are shared with the Agency throughout the impact assessment process, this document will be updated, and will inform the Proponent's studies and the impact assessment.

The Proposed Project

Marten Falls First Nation and Webequie First Nation (the Proponent) is proposing the construction and operation, including maintenance, of an all-season multi-use public highway approximately 117 km to 164 km in length. The highway would connect the proposed Webequie Supply Road to the proposed Marten Falls Community Access 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 network system at or near Nakina, Ontario.

Summary of Information Available to the Agency about:

- a) the nature and extent of Neskantaga First Nation's Aboriginal and treaty rights;**
 - b) potential for impacts from the Project on the exercise of Neskantaga First Nation's Aboriginal and treaty rights; and**
 - c) potential changes to health, social, or economic conditions of Neskantaga First Nation due to the Project.**
- a) Summary of the information available to the Agency related to the nature and extent of Neskantaga First Nation's Aboriginal and treaty rights:
- Members of Neskantaga First Nation have Aboriginal and treaty rights that are recognized and affirmed under section 35 of the *Constitution Act, 1982*.
 - Neskantaga First Nation is a signatory to Treaty 9, which provides rights to hunting, trapping and fishing throughout the treaty area.
 - Neskantaga First Nation's reserve is approximately 84 kilometres west of the Project.
 - Neskantaga First Nation has asserted to the Agency that the Project is located within Neskantaga First Nation's traditional territory.
 - Neskantaga First Nation is affiliated with Matawa First Nations, Nishnawbe Aski Nation, and the Chiefs of Ontario.

- b) Summary of the information available to the Agency on the potential for impacts to the exercise of Neskantaga First Nation’s rights resulting from any change to the environment due to the Project:

Potential impacts to physical and cultural heritage

- Potential change to access, experience or abundance of lands and resources used for spiritual and cultural purposes.
 - Neskantaga First Nation has indicated the presence of a culturally important site along the Attawapiskat River; noting potential impacts due to the proposed major water crossing on the “west bridge” option.

Seeking to Learn More

If there are any other cultural sites of importance or other specific water crossings along the proposed road corridor that could impact your community, the Agency requests that you kindly share as much detail about these locations to assist the Agency with understanding the potential impacts. These can be identified using buffers to protect Indigenous Knowledge.

The Agency thanks Neskantaga First Nation for commenting about the “west bridge” option crossing the Attawapiskat River. The Agency would be interested to learn more about the cultural impacts this major water crossing could have on your community. For example, is the proposed “west bridge” option an area where teachings to youth are shared through activities like fishing and harvesting?

Potential impacts to the current use of lands and resources for traditional purposes

- Potential impacts on the ability of Neskantaga First Nation members to exercise their rights, including hunting, fishing, plant gathering and trapping, due to loss of access to, or changes to experience at, preferred sites within their traditional territory, including along the Attawapiskat River.
 - For example, Neskantaga First Nation has identified sturgeon, pickerel, whitefish, pike and burbot as fish species of importance for fishing.

Seeking to Learn More

If there are specific fishing sites or hunting sites used by Neskantaga First Nation that potentially could be impacted by the Project, the Agency requests more information about the locations of these sites. For example, if there are trap line areas near or where the Project is proposed to be located, the Agency should be informed for assessing the impacts to the exercise of rights by Neskantaga First Nation.

If there are specific migration routes or spawning areas that your community is aware of, the Agency requests you share as much detail as possible to assist the Proponent with baseline studies and the assessment. The Agency also would be interested to know of other species of importance to Neskantaga First Nation.

- Potential change to access, experience or quality of waterways used for navigation, in particular along the Attawapiskat River.

Seeking to Learn More

If there are particular access points along the Attawapiskat River that your community is concerned about, the Agency would be interested to learn more to assess how they could be impacted by the Project.

Potential impacts to any structure, site, or thing that is of historical, archeological, paleontological, or architectural significance

- Potential changes to cultural heritage sites.
 - For example, Neskantaga First Nation has flagged the potential for historical artifacts or sites of archeological importance along access road routes.

Seeking to Learn More

The Agency kindly requests that Neskantaga First Nation shares any areas on a map that the Proponent should be made aware, to minimize impacts to these potential sites. If there are other sites that contain important historical structures or symbols, the Agency would be interested to learn more about these too. These can be identified using buffers to protect Indigenous Knowledge.

- c) Summary of the information available to the Agency on any potential changes to the health, social, or economic conditions of Neskantaga First Nation due to the Project:

Potential changes to health, social or economic conditions

- The Agency understands from comment submissions there may be potential changes to health related to changes to country foods, in particular mercury contamination.

Seeking to Learn More

If Neskantaga First Nation is aware of other changes to health, social, or economic conditions of your community, the Agency would be interested to learn more about these concerns.

FOR ACTION: The Agency is seeking by **July 21, 2023**, your validation of the information set out above and any additional information about impacts the Project may have on Neskantaga First Nation. Additional detail about the nature and extent of potential impacts to Neskantaga First Nation or the exercise of rights by Neskantaga First Nation may refine our understanding of the potential impacts of the Project, and allow the Agency to adjust its consultation approach, where necessary. Please provide your comments to the Agency by either using the **Submit a comment** button on the Canadian Impact Assessment Registry Internet site¹ or sending an email to *NorthernRoad-RouteDuNord@iaac-aeic.gc.ca*.

In addition, the Agency would like to meet with your community to discuss the information set out above to understand better, how your community may be impacted by the Project.

The Agency encourages Neskantaga First Nation to share information with the Proponent to inform the development of the Proponent’s Impact Statement.

¹ <https://iaac-aeic.gc.ca/050/evaluations/proj/84331>