



June 21, 2023

Sent by email

Chief Bruce Achneepineskum  
Marten Falls First Nation  
General Delivery  
Ogoki Post ON P0T 2L1  
<email address removed>

Chief Cornelius Wabasse  
Webequie First Nation  
P.O. Box 268  
Webequie ON P0T 3A0  
<email address removed>

Dear Chief Bruce Achneepineskum and Chief Cornelius Wabasse:

**Subject: Notice of Comment Period on the Draft Tailored Impact Statement Guidelines and planning documents for the Northern Road Link Project – Request for Comments by July 21, 2023**

On May 23, 2023, the Agency decided that a federal impact assessment is required for the Northern Road Link Project (the Project). The planning phase will continue pursuant to the *Impact Assessment Act* (IAA). The Agency has prepared drafts of the planning phase documents, including the Tailored Impact Statement Guidelines (the Guidelines), which would inform the federal impact assessment process.

Today, June 21, 2023, the Agency initiated a 30-day, comment period to seek input from the Proponent, Indigenous communities, federal authorities, provincial ministries and the public on drafts of the planning phase documents.

Given the work of your two communities as proponents on other nearby projects, efforts have been made when developing the Guidelines to:

- Encourage collaboration amongst project proponents;
- Encourage use of data gathered for nearby to increase efficiency;
- Collaborate on engagement efforts with potentially impacted Indigenous communities identified in the Indigenous Engagement and Partnership Plan to reduce consultation fatigue; and,
- Encourage data sharing and collaboration on data gathering.

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I would also encourage you to examine the provisions of section 7 of the IAA, which states that the proponent of a project must not do any act or thing in connection with the carrying out of the designated project, in whole or in part, that may cause specific effects within federal jurisdiction.

### **Development of Impact Assessment Planning Documents**

The Agency has developed the draft versions of the Tailored Impact Statement Guidelines (Guidelines) and Indigenous Engagement and Partnership Plan. The draft planning documents were informed by the Proponent's Detailed Project Description<sup>1</sup> and Response to the Summary of Issues<sup>2</sup>, as well as comments received by the Agency from Indigenous communities, federal authorities, provincial ministries and the public during the first comment period on the Project, held from February 21, 2023, to March 23, 2023.

Drafts of the Guidelines (**Enclosure 1**) and the Indigenous Engagement and Partnership Plan (**Enclosure 2**) are enclosed with this letter for your review and consideration, and they are posted on the Canadian Impact Assessment Registry Internet site<sup>3</sup> (the Registry), along with comments received to date.

### **Comment Period and Request for Input**

The Agency is conducting a **30-day comment period** on the draft Guidelines and the draft Indigenous Engagement and Partnership Plan from June 21, 2023, to July 21, 2023. Your community is invited to provide input by **July 21, 2023**.

Timely submission of comments would inform finalization of the:

- **Tailored Impact Statement Guidelines**, which provide direction to the Proponent on the factors to be considered, the methodologies to be followed, and information requirements in order to guide preparation of the Impact Statement; and
- **Indigenous Engagement and Partnership Plan**, which outlines opportunities and methods for meaningful engagement and consultation with potentially affected Indigenous communities throughout the impact assessment process for the Project.

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<sup>1</sup> <http://iaac-aeic.gc.ca/050/evaluations/document/147653>

<sup>2</sup> <http://iaac-aeic.gc.ca/050/evaluations/document/147697>

<sup>3</sup> <https://iaac-aeic.gc.ca/050/evaluations/proj/84331>

The Agency requests that comments be submitted online using the **Submit a Comment** feature available on the Registry<sup>4</sup>. Attachments can be uploaded using this feature. If you have any questions or difficulties submitting this way, please contact the Agency for assistance.

Finalized versions of the planning documents along with the Notice of Commencement for the impact assessment of the Project will be posted on the Registry<sup>5</sup> no later than day 180 of the planning phase (August 20, 2023).

### **Authority to Refer to Review Panel**

Please note that pursuant to subsection 36(1) of the *Impact Assessment Act*, the Minister of Environment and Climate Change has 45 days after the Notice of Commencement is posted to make a final determination on whether to refer the assessment of the Project to a review panel. If you have views on this aspect, you are welcome to provide them during the current comment period.

### **Participant Funding**

Marten Falls First Nation and Webequie First Nation, not the proponent but potentially affected Indigenous communities, are each eligible for a grant of \$5,000 to support the communities' reviews and comments on the draft Tailored Impact Assessment Guidelines and the draft Indigenous Engagement and Partnership Plan. If your communities have not already done so and would like to accept the grant of \$5,000, please contact the Agency.

Please note that the community leadership is expected to avoid any perceived conflicts of interest in its conduct, or the conduct of its service providers, in relation to the use of participant funding. An overview of eligible activities and expenses is enclosed (**Enclosure 3**).

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<sup>4</sup> <https://iaac-aeic.gc.ca/050/evaluations/proj/84331>

<sup>5</sup> <https://iaac-aeic.gc.ca/050/evaluations/proj/84331>

### **Invitation to Meet with the Agency**

On June 12, 2023, the Agency invited your community to upcoming open house events taking place in Timmins, Thunder Bay and Geraldton in July 2023, or offered to schedule a virtual meeting with your community.

The purpose is to provide an opportunity for a deeper discussion about the draft Guidelines and draft Indigenous Engagement and Partnership Plan, in relation to potential impacts on your community.

The Agency looks forward to answering any questions you may have about the above-noted planning documents.

### **The Agency's Preliminary Understanding of the Potential Impacts of the Project on Marten Falls First Nation and Webequie First Nation**

The Agency has prepared a summary of the information received thus far during the planning phase, on the Project's potential to impact Marten Falls First Nation and Webequie First Nation (**Enclosures 4a and 4b**). The summary was also included in the Agency's letter to your communities dated May 23, 2023.

The information contained in Enclosure 4a and 4b will help to inform the Agency's consultation efforts and understanding of the potential impacts of the Project on your communities, including the impacts on your communities' exercise of rights. Enclosures 4a and 4b will continue to be updated throughout the impact assessment process of the Project as information is shared with the Agency.

The Agency invites your communities to review and validate the information contained in Enclosures 4a and 4b relevant to your communities, and to share further information regarding any potential impacts of the Project on your communities with the Agency by **July 21, 2023**. The Agency's Preliminary Understanding of the Potential Impacts of the Project will inform finalization of the Indigenous Engagement and Partnership Plan.

**IMPORTANT NOTE:** Information submitted to the Agency to inform this project assessment 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<sup>6</sup> 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<sup>7</sup>.

Indigenous Knowledge shared in confidence is protected from disclosure under section 119 of the *Impact Assessment Act*, 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.

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<sup>6</sup> <https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>

<sup>7</sup> <https://www.iaac-aeic.gc.ca/050/evaluations/protection?culture=en-CA>

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 416-476-5476, or at *NorthernRoad-RouteDuNorde@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.

Should you have any questions, please contact Ely Weisbrot, Project Manager, at 416-669-2775 or *NorthernRoad-RouteDuNord@iaac-aeic.gc.ca*.

Sincerely,

<original signed by>

Anjala Puvananathan  
Director, Ontario Region

Enclosures:    1) Draft Tailored Impact Statement Guidelines  
                    2) Draft Indigenous Engagement and Partnership Plan  
                    3) Overview of Eligible Activities and Expenses  
                    4) Summary of information on the potential impacts of the  
                    Northern Road Link Project on Marten Falls First Nation  
                    5) Summary of information on the potential impacts of the  
                    Northern Road Link Project on Webequie First Nation

c.c.:    Qassim Saddique, Indigenous Engagement and Consultation  
         Michael Fox, Indigenous Engagement and Consultation