



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

Ontario Region
600-55 York Street
Toronto ON M5J 1R7

Région de l'Ontario
600-55, rue York
Toronto (Ontario) M5J 1R7

June 21, 2023

Sent by email

Chief Chris Moonias
Neskantaga First Nation

<personal information removed>

Dear Chief Chris Moonias:

Subject: Notice of Comment Period on the Draft Tailored Impact Statement Guidelines and Draft Indigenous Engagement and Partnership Plan for the Northern Road Link Project Input Requested by July 21, 2023

Thank you for your participation in the planning phase of the federal impact assessment process for the Northern Road Link Project (the Project) proposed by Marten Falls First Nation and Webequie First Nation (the Proponent).

I am writing from the Impact Assessment Agency of Canada (the Agency) to do as follows:

- inform you that the Agency is conducting a 30-day comment period from **June 21, 2023**, to **July 21, 2023**;
- invite input from your community on the draft Tailored Impact Statement Guidelines (**Enclosure 1**) for the Project;
- invite input from your community on the draft Indigenous Engagement and Partnership Plan (**Enclosure 2**);
- remind your community about the available grant funding of \$5,000 to support your community's review of the draft documents (information on eligible activities and expenses are provided in **Enclosure 4**);
- follow-up with your community on the Agency's invitation to meet during the current comment period; and
- seek your validation of the Agency's preliminary understanding of the potential impacts of the Project on your community (**Enclosure 3**).

.../2

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 Description¹ and Response to the Summary of Issues², 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 site³ (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.

.../3

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

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

³ <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 Registry⁴. 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 Registry⁵ 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.

Funding

To support Neskantaga First Nation's review and comment on the draft Tailored Impact Assessment Guidelines and the draft Indigenous Engagement and Partnership Plan, the Agency has offered a grant of \$5,000. If your community has not already done so and would like to accept the grant of \$5,000, please contact the Agency. An overview of eligible activities and expenses is also enclosed (**Enclosure 4**).

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.

.../4

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

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

The Agency's Preliminary Understanding of the Potential Impacts of the Project on Neskantaga 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 Neskantaga First Nation (**Enclosure 3**). The summary also was included in the Agency's letter to your community dated May 23, 2023. The information contained in Enclosure 3 will help to inform the Agency's consultation efforts and understanding of the potential impacts of the Project to your community, including the impacts on your community's exercise of rights. Enclosure 3 will continue to be updated throughout the impact assessment process of the Project as information is shared with the Agency.

The Agency invites your community to review and validate the information contained in Enclosure 3 and to share further information regarding any potential impacts of the Project to your community 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 Policy⁶ 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 Notice⁷.

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.

.../5

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

⁷ <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.

Please feel free to contact me at 416-476-5476 or at *NorthernRoad-RouteDuNord@iaac-aeic.gc.ca* if you have any questions. I welcome the opportunity to work collaboratively with your community.

Sincerely,

<original signed by>

Caitlin Cafaro
Crown Consultation Coordinator
Impact Assessment Agency of Canada

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

c.c.: Leroy Moonias, Executive Secretary, Neskantaga First Nation
 Joan Kuyek, Technical Lead
 Dayna Scott, Consultant, Osgoode Law Law School
 Dennis Forbes, Consultant