



August 18, 2023

Sent by email

Chief Michael Sugarhead
Nibinamik First Nation
General Delivery
Summer Beaver ON P0T 3B0
michaelsugarhead@summerbeaver.com

Dear Chief Michael Sugarhead:

Subject: Notice of Commencement of the Impact Assessment for the Northern Road Link Project

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).

On August 18, 2023, the Impact Assessment Agency of Canada (the Agency) commenced an impact assessment pursuant to the *Impact Assessment Act* for the Project. The following documents were posted on the Canadian Impact Assessment Registry Internet site¹ (Registry #84331) and they will inform the impact assessment process:

- Notice of Commencement
- Tailored Impact Statement Guidelines (the Guidelines)
- Indigenous Engagement and Partnership Plan (IEPP)
- Public Participation Plan
- Cooperation Plan
- Permitting Plan

The Agency remains of the view that the Project does not warrant a referral to a review panel, after considering the factors in subsection 36(2) of the *Impact Assessment Act*. Please note that the Minister of Environment and Climate Change has until 45 days after the Notice of Commencement to make a final determination on whether to refer the impact assessment to a review panel.

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¹ Canadian Impact Assessment Registry website: <https://iaac-aeic.gc.ca/050/evaluations/proj/84331>

The Agency appreciates the comments provided by Indigenous communities on the draft Guidelines and IEPP. The Project is now in the impact statement phase. By August 19, 2026, the Agency must be satisfied that the Proponent provided the required information and studies set out in the Guidelines.

Please note that the Agency encouraged the Proponent to share its deadlines and schedules for activities that involve collaboration or engagement with interested assessment participants who are identified in the plans listed above. With a collaborative approach, the Agency hopes that the Proponent and assessment participants will work together to ensure a timely and informed assessment process.

Indigenous Engagement and Partnership Plan

The IEPP integrates Crown consultation and Indigenous participation in the impact assessment. Section 4 lists the Indigenous communities identified for Crown consultation (section 4.1) and communities for engagement that have concerns and interests (section 4.2). The Agency used information available, including information provided during pre-planning and the planning phase, to inform the lists of communities.

The IEPP is an “ever-green” document that reflects the information available to the Agency during the impact assessment process for the Project. The Agency may update the lists as knowledge of the effects and potential impacts of the Project is gained, or if the Project or its components are modified, or communities provide more information about the exercise of their Aboriginal and/or Treaty rights, during the impact assessment process. The Proponent and the Indigenous communities will be notified by the Agency, if the lists of communities are amended.

Next Steps

In the coming months, the Agency will follow-up with your community with a separate letter that will include information about the next steps in the federal impact assessment process, upcoming funding opportunities, and a summary table of comments received during the planning phase, and the Agency responses, including how comments received were taken into account in finalizing the Guidelines and the IEPP. The Agency intends to share the summary table of comments with the Proponent to inform its work while preparing the Impact Statement.

Also, the Agency will share for validation by your community, a revised draft of the summary of information available to the Agency on potential impacts of the Project on your community. On May 23, 2023, an initial draft of this document was shared with your community and has been developed and revised based on your participation during the planning phase. The document contains a summary of:

- a) the nature and extent of Nibinamik First Nation's Aboriginal and treaty rights;
- b) the potential impacts of the Project to the exercise of Nibinamik First Nation's rights; and
- c) potential impacts of the Project on health, social, or economic conditions of Nibinamik First Nation.

The Agency encourages your community to update the summary of information available to the Agency on potential impacts of the Project and to provide information pertaining to your traditional territory or traditional land uses, so it can be used to inform the IEPP and the impact assessment process.

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 (<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*, 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 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 with your community.

Sincerely,

<Original signed by>

Caitlin Cafaro
Crown Consultation Coordinator

c.c.: Walter Oskineegish, Band Manager, Nibinamik First Nation
Gershom Beaver, Head Counciller, Nibinamik First Nation
Richard Roundhead, Counciller, Nibinamik First Nation
Jolene Neshinapaise, Counciller, Nibinamik First Nation
Hezekiah Neshinapaise, Counciller, Nibinamik First Nation
Roger Oskineegish, Nibinamik First Nation
Erika Voaklander, PST Law
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