



# ATTAWAPISKAT FIRST NATION

P.O. Box 248  
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Date December 11, 2020

Chief Cornelius Wabasse  
Webequie First Nation

Chief Bruce Achneepineskum  
Marten Falls First Nation

Laura DeCoste  
Crown Consultation Coordinator, Impact Assessment Agency of Canada

Kathleen O'Neill  
Director, Environmental Assessment Branch, Ontario MECP

## **Re: Northern Road Link Environmental Assessment and Related Voluntary Agreement**

We have received your letter of 30 November 2020, announcing that Marten Falls First Nation and Webequie First Nation jointly represent the new proponent for the Northern Link Road, and that an individual EA is being initiated with the Ministry of Environment, Conservation and Parks. Your letter states that “This is the most robust form of an EA available in the province, and we hope to go through a comprehensive assessment process towards the study and development of this road.”

Your letter also states that the “NRL [Northern Road Link] EA will be independent of the existing two projects, and each of the three projects will reach out independently for all activities.” This approach ignores the fact that there is one plan for an all-season road link from the provincial highway network to the Ring of Fire. Attawapiskat First Nation understands that this is Ontario’s plan, and that as part of this plan Ontario is working with Indigenous communities, including Marten Falls and Webequie First Nations, to build community access and supply roads.

It is highly concerning to Attawapiskat First Nation that road access to the Ring of Fire is being evaluated through a series of individual project EAs. An individual project EA is not, as you claim, “the most robust form of an EA,” given that individual project assessments do a very poor job of analyzing cumulative effects. Once the planned road link is in place there will be a cascade of road, mining, and other development. We therefore cannot evaluate the impact of the proposed road link one segment at a time. Decisions on individual road segments must be informed by development scenarios and effects thresholds that can only be provided by a regional assessment.

Attawapiskat First Nation is being asked to participate in individual road EAs, without any information on the long-term, regional, and cumulative impacts of development in the Ring of Fire. The individual project assessments are already well underway, yet the terms of reference for the regional assessment have yet to be drafted. This disconnect in the timing of the individual project and regional assessments is

unacceptable to Attawapiskat First Nation. The regional assessment on the Ring of Fire must be completed before any decisions are made on the individual project assessments.

Without a regional assessment that establishes a planning framework for all upcoming individual project assessments, we will not be able to properly assess how the proposed all-season roads will impact our rights and interests. Nor will we have any say over the pace and direction of development in Omushkegowuk Territory. This is contrary to Article 32 of the UN Declaration on the Rights of Indigenous Peoples: “Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.”

Finally, the individual project assessments, including the assessment for the Northern Road Link, must be put on hold until Covid-19 safety measures are lifted in First Nations communities. Since March 2020 we have been unable to hold community meetings or do in-person engagement on the Ring of Fire road projects. We need to have the opportunity to meet in person. Our culture and laws require in-person, grassroots engagements. This work cannot be substituted by video or phone conferences.

In-person engagement is required in order to carry out the consultation and accommodation mandated by Canada’s Constitution, UNDRIP and other international laws. We are entitled to equal benefit of these laws under section 15 of Canada’s Charter of Rights and Freedoms. Therefore, the upcoming phases of the environmental assessments, including the one for the Northern Road Link, need to be extended for at least six months or until we are able to resume in-person meetings in our community.

Regards,

<Original signed by>

✓  
Chief David Nakogee  
Attawapiskat First Nation

CC: Charles Hookimaw, Dir., of Lands and Resources  
Deputy Chief, Louis Edwards, Attawapiskat First Nation  
Wayne Turner, CEO, Attawapiskat First Nation