



# First Nation Council

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Via email - [eaisinput@martenfallsaccessroad.ca](mailto:eaisinput@martenfallsaccessroad.ca)

**Re: Preliminary Comments on the Draft Environmental Assessment (EA)/Impact Statement (IS) for the Marten Falls First Nation Community Access Road**

Dear Marten Falls Community Access Road team,

Please find attached Fort Albany First Nation's (FAFN) preliminary comments on the Draft Environmental Assessment/Impact Statement (Draft EA/IS) for the Marten Falls First Nation Community Access Road (MFCAR). The proposed project has the potential to benefit Marten Falls First Nation in ways that we can appreciate, as we understand the challenges of being a fly-in community. It also has the potential to result in significant, long-term adverse effects on the lands, waters, cultural values, and resources within Fort Albany First Nation's homelands and waters.

As we have prepared this letter, a number of our members have been traveling in boats as far as Chemahagun River and Mammamattawa, as part of the Here We Stand movement which began as a call to action by Attawapiskat First Nation youth Jeronimo Kataquapit. These members are marking burial sites, putting up FAFN flags, and putting down tobacco to affirm our ancestral and continuing presence across our homelands, and to honour our sacred relationship with these lands and waters which have shaped who we are as a people. Such journeys remind us of our deep connection to places that may now be impacted by the MFCAR.

We want to provide some context for these preliminary comments.

The Draft EA/IS and its supporting documents are many thousands of pages in length, and are highly technical in parts. However, the plain language summaries were so brief and general (and in some cases flawed or oversimplified, as with the plain language explanation of cumulative effects) that they were not sufficient for understanding the matters of most interest and concern for our members. As a result, we will have to prepare tailored materials for our members to help them understand this Draft EA/IS.

There were also no Cree translations available for most of the consultation period, despite this being important for our member engagement activities, especially with our Elders. The Cree translations that were eventually provided were only for a few plain language summaries.

One early issue we have noted from our initial review of these materials is that they do not always seem to provide clear answers to some of our priority questions. For example, one of the top concerns for FAFN is the overall impact of the proposed Project on the Albany River system

and our people's uses of it, and it seems that assessing what the Draft EA/IS says about this will require us to consider information from across many different parts of the Draft EA/IS.

The Draft EA/IS's and plain language summaries' descriptions of initial effects, mitigation measures, residual effects, and cumulative effects are often so general that it is difficult for us to understand what they may mean in practice. We believe we will have to review the supporting studies themselves in some detail, and potentially submit specific questions, to better understand this. We will then to have translate that information into accessible formats for our members, which will take more time.

The draft Aboriginal and Treaty Interests Report for FAFN was also not available to us until very recently, so we were unable to consider it alongside the rest of the Draft EA/IS materials and have not been able to integrate it into any of our initial member engagement activities.

Further, the Draft EA/IS early consultation period overlapped with April goose hunt, and the emergency evacuation of our community in May due to spring flooding. Both events impacted our ability to plan member engagement.

As a result, during this early consultation period we have only been able to do a relatively high-level review of the Draft EA/IS, which has not yet included review of all of the supporting documents. Our technical review has focused on some key "red flags" topics, and our engagement with members has focused mainly on helping them to understand at a high level what this document addresses, and getting their guidance about what information and methods will support more meaningful engagement activities with them over the coming months. This means that the attached comments provide only an initial and partial high-level review of some key concerns identified. These are very preliminary in nature and will be further developed following deeper engagement with FAFN members and knowledge holders over the coming months.

At a high-level, issues identified in the attached table include:

- insufficient integration of Indigenous governance, Indigenous Knowledge, and consent-based decision making;
- gaps in the assessment of downstream hydrological impacts and the Albany River system;
- limited consideration of cultural impact, food systems, and psychosocial well-being;
- inadequate assessment of cumulative effects, including foreseeable mining and infrastructure projects; and
- insufficient analysis of legacy impacts and long-term land use change scenarios.

We respectfully request that the proponent review these concerns and respond meaningfully. Each comment includes a recommended revision or required action to address the issues raised.

We have had the benefit of reviewing comments submitted by Attawapiskat First Nation, and recently met with their representatives to discuss the Draft EA/IS. Except where their comments relate only to their community, we support and adopt those comments. We particularly

emphasize our agreement with their comments regarding cumulative effects. We find it troubling that many clearly foreseeable developments or activities have been left out of the assessment, and we are concerned that this has greatly undermined the overall analysis in the Draft EA/IS, in a manner that has resulted in potential or likely effects being underestimated, perhaps significantly.

Finally, we note that this comment period has overlapped with the alarming passage of Bill 5 and Bill C5, which are intended to expedite developments in and around the Ring of Fire. We oppose these as attacks on the rights and jurisdiction of all Treaty 9 First Nations, and we have been glad to see that Chief Achneepineskum has publicly shared similar concern. We believe that our First Nations share a common interest in protecting our rights and homelands from the attitudes reflected in these new laws, and that our common interest in refusing to legitimize them transcends any single project. We ask for Marten Falls First Nation's assurance that it will not support the Crown using these new laws to speed up, limit, or remove the regulatory processes that apply to the MFCAR.

Sincerely,

Chief Elizabeth Kataquapit

*Attachment: Fort Albany First Nation's Preliminary Comments on the Marten Falls First Nation Community Access Road*

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