



Update on the Study Areas for the Aboriginal and / or Treaty Rights and Interests Impact Assessment

October 2024

The purpose of this memo is to share further updates on the study areas for the Aboriginal and / or Treaty Rights and Interests (ATRI) Impact Assessment that will be completed for the Marten Falls First Nation (MFFN) Community Access Road (CAR) Project (the Project). The ATRI environmental discipline includes the following Valued Components and associated considerations for the assessment:

- **Indigenous Current Use of Land and Resources for Traditional Purposes** – refers to activities that are integral to a community’s way of life and culture (hunting, trapping, fishing, plant harvesting, ceremonial or spiritual practices, and other cultural practices), and considers direct impacts from construction and operation (physical disturbance), changes to the quality and / or quantity of resources, and changes to access to sites and areas used for these activities; and
- **Cultural Continuity and Wellbeing** – refers to the experience of culture and how traditional knowledge and culture is maintained and transmitted, and considers the experience of being on the land, connection to the land and ability to practice and transmit cultural traditions, and governance and stewardship.

What is a Study Area?

Study areas identify the geographic areas within which potential effects of the Project may or are likely to occur. These study areas are used to guide the data collection and assessment processes. To capture the range of potential effects, the following study areas are typically used in environmental assessment processes:

- **Construction Disturbance Area (previously referred to as the Project Development Area):** the area of expected direct physical disturbance from Project;
- **Local Study Area:** the area where the potential direct effects of the Project (e.g., loss of or alteration of sites and areas used for traditional purposes) may occur; and
- **Regional Study Area:** the area where the potential indirect effects of the Project (e.g., effects to Indigenous land and resource use resulting from changes in the availability of wildlife, fish, etc.) may occur.

Study areas specific to the ATRI Valued Components were developed for the Project. These are described below.





ATRI-specific Study Areas for the Project

Preliminary study areas for Aboriginal and / or Treaty Rights and Interests were developed and shared with Indigenous communities and groups in August 2020. They were also included in the Indigenous Knowledge Program Guidance Document that was shared with all Indigenous communities and groups in November 2020.

The preliminary Local Study Area was revised and slightly increased in size when the Project Development Area (revised to the Construction Disturbance Area) was established to take into account potential aggregate sites, temporary construction camp locations, and construction access roads. The preliminary Regional Study Area was revised to include four additional quaternary watersheds based on inputs from Indigenous communities and groups, and therefore also increased in size.

Revisions to the study areas were shared with Indigenous communities and groups through communications in January 2021 and August 2022. The most recently shared study areas from August 2022 are shown in **Figure 1** appended to this memo. These study areas were used to establish the Project Team's understanding of existing conditions with respect to ATRI, as described in the Preliminary Existing Conditions Report prepared for and shared with each Indigenous community and group in 2023.

Revisions to the ATRI-specific Study Areas for the Impact Assessment

The characterization of existing conditions for the Project was completed on two alternative route options (Alternative 1 and 4). The information collected on existing conditions for all disciplines (e.g., ATRI, wildlife, fish, vegetation, air quality, etc.) was used to inform the selection of the technically preferred Route Alternative (the corridor that is most preferred from a technical perspective). The ATRI Impact Assessment will be completed on the technically preferred Route Alternative. Therefore, the ATRI study areas were revised for the assessment to focus on the technically preferred Route Alternative.

Since the ATRI study areas are based on the study areas of other Valued Components that are relied on for ATRI (e.g., wildlife, surface water, fish), changes to the study areas for these other Valued Components also led to the following changes to the study areas for ATRI for the assessment:

- The Local Study Area increased from a 5 km buffer to a 10 km buffer; and
- The Regional Study Area increased in size (more than doubled in area) as the extent shifted from a quaternary to a tertiary watershed level.

The assessment study areas also include ancillary features such as pits and quarries, temporary access roads and worker camps.





In addition, based on inputs from Indigenous communities and groups to date about the potential for the Project to influence Aboriginal and / or Treaty Rights outside of the Regional Study Area given the ranges and movements of caribou, a Caribou Regional Study Area has also been identified that encompasses the four caribou ranges that are intersected by the Project. The inclusion of the Caribou Regional Study Area enables the Project Team to assess the potential indirect impacts on ATRI resulting from potential Project effects on caribou specifically.

The ATRI study areas that will be used for the assessment are shown in **Figure 2** appended to this memo. An overview of the changes to the ATRI study areas for the purposes of the assessment is provided in **Table 1** appended to this memo.

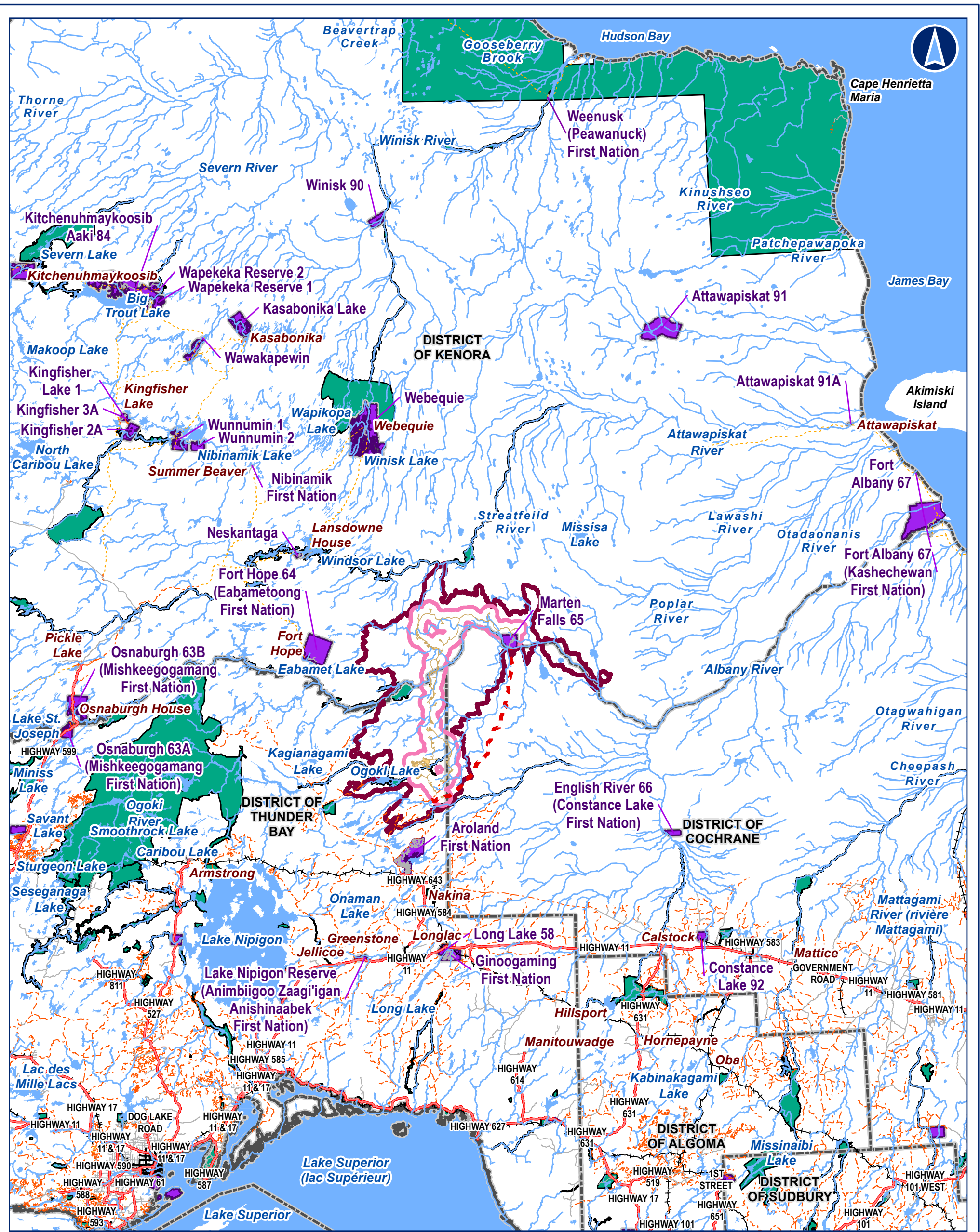
Your Knowledge and Input is Important to Us!

The Project Team wants to understand Aboriginal and Treaty Rights and Interests related to the Project. Indigenous Knowledge and information on Indigenous land and resource use and cultural practices will help us to better understand and appreciate the environment with respect to the identity, culture, and heritage of Indigenous communities. If your community has Indigenous Knowledge or information that you would like to share or if you would like to learn more about the Indigenous Knowledge Program and / or share information on Aboriginal and / or Treaty Rights and Interests, please do not hesitate to reach out to Bob Baxter at 1-807-628-7553 or bbaxter48@gmail.com or Andrea Nokleby at 1-604-417-5332 or anokleby@dillon.ca.

We hope you and your community are safe and well.

- Encl. **Figure 1.** Aboriginal and / or Treaty Rights and Interests Existing Conditions Study Areas
Figure 2. Updated Aboriginal and / or Treaty Rights and Interests Study Areas for the Impact Assessment
Table 1. Comparison of the Existing Conditions and Assessment Study Areas for ATRI





Legend

- ATRI Local Study Area
- ATRI Regional Study Area
- Construction Disturbance Area

General Features

- Highway
- Major Road
- Local Road
- Resource / Recreation Road
- Winter Road
- Service Road
- Alleyway / Laneway

- MFFN Existing Winter Access Road
- Railway
- Watercourse
- Waterbody
- First Nation Reserve
- District Municipal Boundary
- Provincial Park

Notes:
 1. Local and Regional Study Areas are Preliminary.
Data Source:
 Base Data: Provided by MNRF 2019; Route Infrastructure - Provided by AECOM 2019. Contains Information licensed under the Open Government Licence Ontario.

MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD

Aboriginal and/or Treaty Rights and Interests Existing Conditions Study Areas

0 15 30 60 90 120
Kilometres

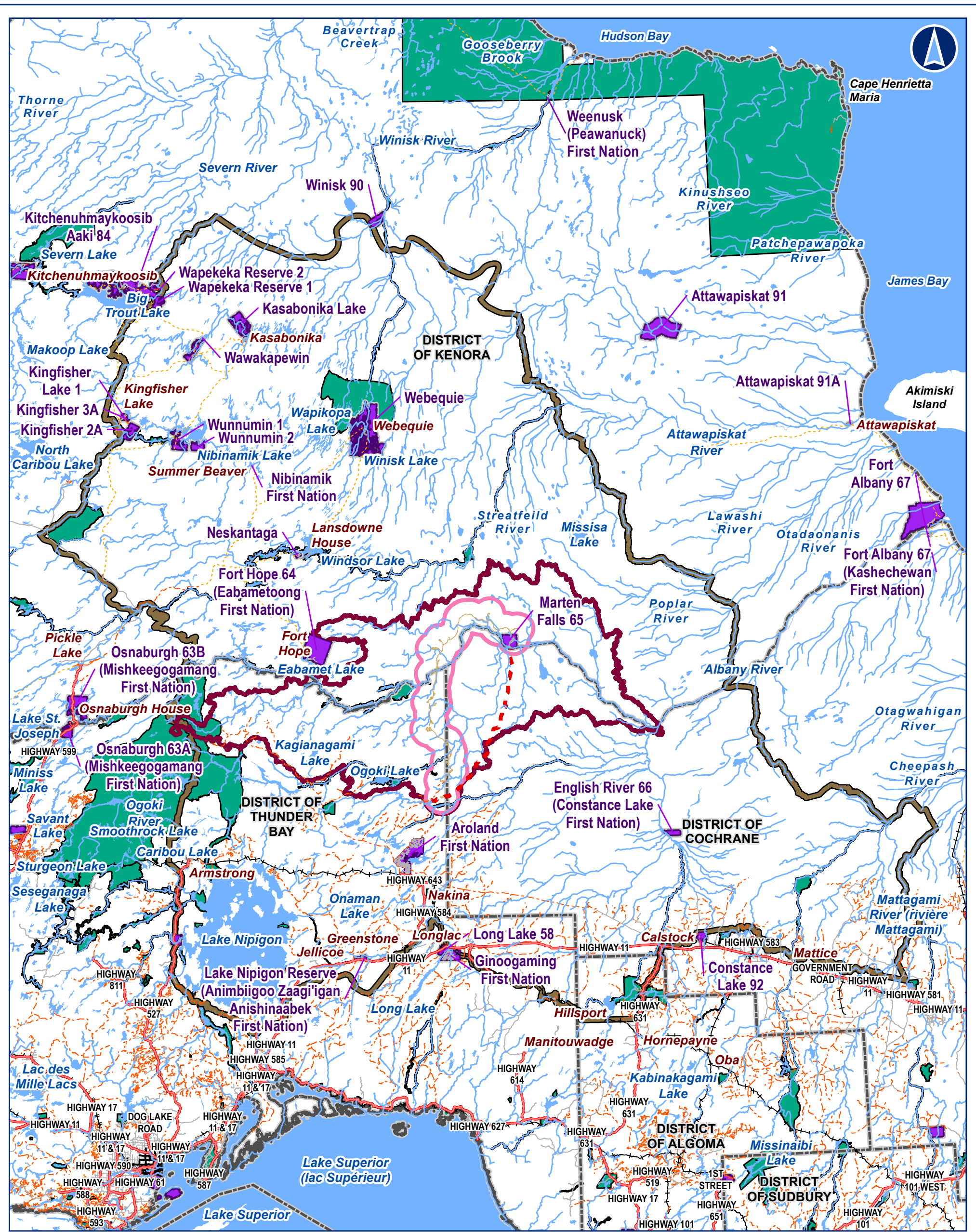
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Figure 1

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Legend

- ATR Local Study Area (Pink outline)
- ATR Regional Study Area (Red outline)
- ATR Caribou Regional Study Area (Green outline)
- Construction Disturbance Area (Yellow)

General Features

- Highway (Red line)
- Major Road (Black line)
- Local Road (Grey line)
- Resource / Recreation Road (Orange dashed line)
- Winter Road (Yellow dashed line)
- Service Road (Black dashed line)
- Alleyway / Laneway (Grey dashed line)
- MFFN Existing Winter Access Road (Red dashed line)
- Railway (Black line with cross-ticks)
- Watercourse (Blue line)
- Waterbody (Blue area)
- First Nation Reserve (Purple area)
- District Municipal Boundary (Black dashed line)
- Provincial Park (Green area)

Notes:
 1. Local and Regional Study Areas are Preliminary.
 Data Source: Base Data: Provided by MNRF 2019; Route Infrastructure - Provided by AECOM 2019. Contains Information licensed under the Open Government Licence Ontario.

MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD

Updated Aboriginal and/or Treaty Rights and Interests Local and Regional Study Areas Used for the Impact Assessment

0 15 30 60 90 120
Kilometres

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Figure 2

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Table 1. Comparison of the Existing Conditions and Assessment Study Areas for Aboriginal and / or Treaty Rights and Interests

Study Area	Geographic Extent*		Area Size		Rationale
	Existing Conditions	Impact Assessment	Existing Conditions	Impact Assessment	
Local Study Area	<ul style="list-style-type: none"> • 5 km buffer from the Route Alternatives and other project components and temporary infrastructure (e.g., aggregates sources, access roads, construction camps, staging areas, and stockpile areas). • Corresponds to the outermost boundaries of the combined Local Study Areas for the fish and fish habitat, surface water, vegetation, general wildlife, moose, air quality, noise, and visual Valued Components (as delineated in August 2020). 	<ul style="list-style-type: none"> • 10 km buffer from the Construction Disturbance Area (the area of expected direct disturbance which includes a 100-metre Right-of-way, temporary construction access roads, work areas, worker camps, and pits, quarries and associated access roads) of the Technically Preferred Route Alternative. • Corresponds to the outermost boundaries of the combined Local Study Areas for the aquatics (surface water and fish and fish habitat), vegetation, birds, wildlife (general), wolverine, ungulates (moose and caribou), air quality, visual, and noise Valued Components. 	367,245 ha	461,856 ha**	<ul style="list-style-type: none"> • Captures the area where direct and / or more noticeable environmental effects and impacts of the Project on Aboriginal and / or Treaty Rights and Interests may occur. • Allows for route refinement during Project design (e.g., avoiding or mitigating impacts to sensitive features). • Defined based on the key components that may be relied on for the exercise of harvesting and cultural practice rights in the area of the Project, or have the potential to influence it.
Regional Study Area	<ul style="list-style-type: none"> • Combined area of the quaternary watersheds that interact with the Route Alternatives and the Local Study Area. • Corresponds to the outermost boundaries of the combined Regional Study Areas for the fish and fish habitat, surface water, vegetation, and general wildlife Valued Components (as delineated in August 2020). 	<ul style="list-style-type: none"> • Combined area of the three tertiary watersheds (4GD-Upper Albany – Makokibatan, 4GE-Lower Ogoki, and 4GF-Upper Albany – Muswabik) that are intersected by the Technically Preferred Route Alternative. • Corresponds to the outermost boundaries of the combined Regional Study Areas for the aquatics (surface water and fish and fish habitat), vegetation, birds, and wildlife (general) Valued Components. 	1,210,273 ha	2,590,869 ha	<ul style="list-style-type: none"> • Captures the area where indirect and less noticeable environmental effects and impacts of the Project on Aboriginal and / or Treaty Rights and Interests may occur. • Allows the Proponent to gather information at a larger scale to better understand potential indirect Project effects on the environment and associated impacts on Aboriginal and / or Treaty Rights and Interests. • Defined based on key components that may be relied on for the exercise of harvesting and cultural practice rights at a more regional level.
Caribou Regional Study Area	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Coincides with Regional Study Area used for the assessment on caribou, which consists of four caribou ranges: Missisa, Nipigon, Ozhiski, and Pagwachuan. 	N/A	19,250,753 ha	<ul style="list-style-type: none"> • Allows the Proponent to assess the potential indirect impacts on Aboriginal and / or Treaty Rights and Interests outside of the Regional Study Area resulting from potential Project effects on caribou specifically. • Informed by inputs from Indigenous communities and groups and regulators.

*Note that the selection of a Technically Preferred Route Alternative resulted in refined study areas (presumed impact areas) for the impact assessment, which represent only one route corridor instead of two; the Existing Conditions study areas were delineated based on all Route Alternatives.

**While the buffer has doubled in size (from a 5 km to a 10 km buffer), the total area has not because the Existing Conditions Local Study Area was a buffer on all Route Alternatives while the Assessment Local Study Area is a buffer on the Technically Preferred Route Alternative only.