

Eabametoong Community Notice: Update on New Road Proposals and Ring of Fire News

May 15, 2018

OVERVIEW AND COMMENTS FROM EFN LEADERSHIP

During this last week, EFN obtained new information regarding the status of two First Nation/Ontario-based road projects. As we all heard and have been discussing since August, Ontario has supported road study initiatives led by Webequie and Marten Falls that now are focused on the Ring of Fire.

This week we received notice from Ontario's Minister of Environment and Climate Change that they have supported 'voluntary agreements' for each of these road projects to be subject to an environmental assessment process that will begin in the coming months. That is the technical term that will **initiate the beginning of major environmental studies for the TWO road corridors they are proposing**. We expect those assessments to take 2-3 years, with major decisions to come at the end of that time, but some important things will be happening soon and want to keep membership informed. Here are the key points regarding the current proposals (more details in attached documents):

- **Webequie is proposing a 'supply road' from their community/airport to the Ring of Fire site, but no community access route at this point. That may come later.**
- **Marten Falls is proposing a community access road to Ogoki that could follow different routes, but will include a crossing of the Albany. Phase 2 of this project will be a corridor from the community to the Ring of Fire site, but that is not under current study.**
- Noront is still officially studying all possible access routes to their Nickel project at the Ring of Fire, and will likely use whatever corridor happens first.
- None of these environmental processes has gone very far yet, and EFN members will have a role in those studies. However, the two First Nation proposals were not developed in partnership with EFN and these go against the regional approach we have been working towards.
- We are concerned that these proposed roads will have a negative effect on our leverage and ability to secure an improved role in decision making and participation in planning for the future of the whole region at the Regional Framework and Jurisdiction tables.

Throughout the last few years of discussions and negotiations work, Eabametoong has taken the strongest positions at the Chiefs Council, along with Neskantaga, and our RFA and Jurisdiction tables with Ontario to fight for greater community involvement in any major resource decisions. **Our membership has given clear direction to argue hard for the protection of rights as well as improvement of quality of life** (see attached summary documents). We have demonstrated leadership at the regional tables on issues that our members have spoken into; especially jurisdiction, stewarding the environment and long term community wellbeing.

EFN has the most community members involved working on these issues. Our Resource Stewardship Department has been improving, and the Chief and Council are regularly working with the staff on

these important negotiations, bringing concerns and interests to the table each month. The core feedback we have received is (more details attached):

- EFN does not yet have the information to make an informed decision on ROF projects or roads, but we must carefully consider all the impacts before making a decision in the future
- No roads until we have greater control over them, and access to EFN territory
- No development until we can better control the pace and scale of projects
- Environmental processes must consider all aspects of life and culture, and involve our people directly in community based studies, considering regional and long term impacts of any project
- All communities impacted by a project must have a joint role in decision making, not just government or political approvals
- Projects require the free, prior, and informed consent of our people
- We must plan for long term community and regional development, and work towards establishing community and regional governance boards that serve our interests

We have put a huge focus on developing better environmental processes and ensuring that any project must face a test of community-developed criteria along with best scientific practices. Our team has also been the only Matawa community to advance a court case in defence of community rights and interests. We are still waiting on the final ruling vs. Landore.

However, it appears that Ontario has been working hard to convince other First Nations that they can have what they want if they move faster and begin opening up the region. This is frustrating for many reasons, but primarily because we agreed to work in unity and we have not yet secured acceptable agreements at either the RFA or Jurisdiction tables. We have made progress, but we are concerned that any road building now without agreements in place that meet our community objectives would give up significant leverage at those negotiations.

OUR PLAN OF ACTION

EFN leadership has spoken and written firmly to Webequie and Marten Falls with these concerns, and is now considering a variety of relational and legal measures to protect EFN rights. We are bringing these facts to our members as we hear what is happening because we will all need to work together to advance EFN's position and ensure that we have a say in what happens, whether roads or projects are proposed by Noront, First Nations, or government.

- A. Arrange for direct meetings with Webequie and Marten Falls in Eabametoong, so members can hear of these projects first-hand, ask questions, and voice concerns or interests (Spring 2018)
- B. Work closely with Neskantaga and other communities to achieve common interests
- C. Begin protective legal steps to ensure EFN involvement with decisions on roads in our territory, and implications for the region and ROF, and create future options
- D. Continue fighting hard for recognition of EFN jurisdiction at negotiation tables, and within environmental and permitting processes
- E. Using every political tool available to advocate for EFNs rights and interests

We are committed to bringing forward current information and acting on the direction provided by membership. Please continue to participate in these discussions and share your views.

FAQ – QUESTIONS YOU MAY BE CONSIDERING:

- **How do these road proposals relate to Noront’s Nickel Project and roads?**
 - It is not completely clear, but the Webequie proposal will substantially improve the ability of Noront to carry out advanced exploration and potential construction work at the Eagle’s Nest site if that supply road from WFN to the mine site is built
 - The Marten Falls proposal is for a two-stage project. Stage one is to the community, and the ROF is the second stage. MFFN has been clear that they want a north-south corridor for long term development of Chromite at the ROF, so this would be enabled by their initial community corridor
- **Will the Regional Framework Agreement apply to these First Nation proposals?**
 - The RFA process was intended by the First Nations to apply to any and all projects within the Ring of Fire area. Ontario has tried to limit that scope to the existing Noront project, but it remains to be seen if the collective Matawa First Nations will work cooperatively to negotiate for enhanced environmental processes for these new roads
- **Will the Jurisdiction Table apply to these proposals?**
 - The Jurisdiction table is specifically about roads governance and control, permitting, and land management. These new proposals directly influence each of these three topics in EFN territory. We will continue to push hard at the Jurisdiction Table to establish new agreements to secure joint decision making on these projects before major decisions have been made
- **How can EFN members be involved and find out more information?**
 - Please come to our Resource Stewardship Department (trailers) and collect some of the first-hand documents that we are working with, talk with our staff, and we will be coordinating some public information sessions on these issues soon. We have re-scheduled community meetings on this out of respect for the recent losses in the community, but will be working towards new dates for meetings with the RSD and Council representatives
- **What about the Ontario election? How will that impact these roads?**
 - This is absolutely an election issue. All parties are working to promise Ring of Fire development, but it is clear that Webequie and Marten Falls have been working independently with the current government for some time to move these projects along. Depending on the government that is elected on June 7th, we will engage with them directly to discuss and put forward EFN views on the roads
- **Who can use these roads? What will that mean for EFN rights and interests?**
 - At present, they are being described as public roads using public funds to construct them, so our work at the negotiation tables and in-community discussions over the coming year is essential to identifying and protecting EFN rights in those areas and throughout the region. Uncontrolled development will not be supported
- **If these roads are built, will EFN still be able to get road access to the South?**
 - There are many possibilities for EFN road access. The majority of feedback received to date suggests that EFN’s preferred route is directly south to the forestry roads, but further negotiations on access and jurisdiction is required before initiating that project

DOCUMENTS ATTACHED & AVAILABLE

All of these documents, and more from the last few years of regional negotiations and Ring of Fire topics, are available at the Resource Stewardship Department trailers. Our staff are available to discuss these issues and go over questions you may have and listen to your comments and feedback.

Attached:

1. Webequie Notice regarding 'Webequie Supply Road' to ROF – May 8 2018
2. Letter from Minister of Environment and Climate Change regarding Environmental Assessments for Webequie and Marten Falls road projects – May 8 2018
3. Map of Marten Falls options for Phase 1 access roads – May 3 2018
4. MNDM Letter to EFN – May 10 2018
5. EFN Chief and Council letter to Premier Wynne, Matawa Chiefs, and Canada – May 10 2018

Available and related information:

- Copies of 'Voluntary Agreements' between MFFN/Ontario and WFN/Ontario regarding Environmental Assessments
- EFN letters to MNDM/Ontario/Webequie/Marten Falls regarding information on road studies and road proposals (December-February 2017-18)
- Matawa revisions to Joint Statement of Shared Commitments (Jan 24, 2018)
- EFN and Neskantaga letter to Matawa Chiefs Council regarding road proposals (Mar, 2018)
- RFA Matawa DRAFT Environmental Assessment Process Agreement (Nov, 2015)
- RFA Matawa DRAFT RFP for Infrastructure Planning (Nov, 2015)