

## **B6. Fort Albany First Nation**

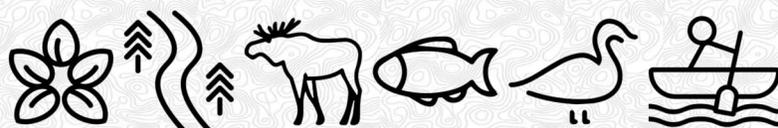
B6.1 Outgoing Community Specific Correspondence

B6.2 Incoming Community Specific Correspondence

B6.3 Draft Aboriginal and / or Treaty Rights and Interests Preliminary Existing Conditions Report



## B6.1 Outgoing Community Specific Correspondence





Miles, Jodi [redacted]

### Follow-up Re: MFFN CAR IK Program Key Dates

**Nokleby, Andrea** [redacted] Mon, Jun 19, 2023 at 10:00 AM  
To: Chief Leo Metatawabini [redacted], Sarah Beamish [redacted]  
Cc: Bob Baxter [redacted], Qasim Saddique [redacted], Lawrence Baxter [redacted], Jodi Miles [redacted]

Good Morning,

I hope this email finds you and your community well. We just wanted to follow up with you on the email below and the **June 30, 2023 milestone** for sharing Indigenous Knowledge (IK) and information on Indigenous land and resource use. Please note, that we will continue to work with you following this date to share information for subsequent phases of the assessment processes.

If you would like to meet to further discuss the IK Program, please do not hesitate to let me know.

Have a wonderful week ahead,

Andrea



**Andrea Nokleby**  
Partner  
Dillon Consulting Limited

[redacted]

www.dillon.ca

*Inclusiveness: Enabling belonging to draw strength from our differences.*

[Quoted text hidden]

From: MFFN Community Access Road Project Team <info@martenfallsaccessroad.ca>  
Sent: Thursday, July 27, 2023 10:16 AM  
To: undisclosed-recipients:  
Subject: Join the Community Coordinator Program!



# MARTEN FALLS FIRST NATION

## ALL SEASON COMMUNITY ACCESS ROAD

### Community Coordinator Program

Since March 2022, the Marten Falls First Nation (MFFN) Community Access Road Project Team has shared on-going communications about providing funding for a Community Coordinator from your community.

We believe a Community Coordinator will strengthen our collective efforts on the Community Access Road, while keeping your community up-to-date and involved.

#### Responsibilities

- Coordinate between the MFFN Community Access Road Project Team and community members living in / outside of your community as per your local practices and in collaboration with Chief and Council;
- Provide advice and guidance on appropriate ways to engage your community – in-person and virtually;
- Keep informed on Community Access Road Project activities (e.g., timelines, documents, events) and communicate relevant Project information to community members;
- Participate in meetings with the Project Team and other Community Coordinators;
- Provide support for community engagement activities related to the Project including:
  - Coordinate and organize logistics for meetings, workshops, events and / or school visits (e.g., book meeting spaces, order refreshments, help with truck / boat rentals and accommodations)
  - Help identify meeting participants and information providers (e.g., youth and / or elders);
  - Assist with meeting facilitation, note taking and meeting minute preparation, and coordinate translation services, if needed; and
  - Organize distributing Project advertisements and notices in your community; either online (e.g., Facebook) or posting in community;
- Assist in collecting data / information in your community (e.g., Indigenous Knowledge, community information and socio-economic information);
  - Assist in reviewing draft documents, questionnaires or Project updates / information sheets.

#### How much funding is available?

The funding available for a Community Coordinator is \$25/hour for 16 hours per week. Communities can choose to go with milestone-based payments where the First Nation distributes funding directly to the Community Coordinator or direct payments from the Project to the Community Coordinator—the choice is up to your community!

#### How many months will the funding be available for?

Funding is available as soon as you agree to start and the hiring process is completed, until the Final Environmental Assessment / Impact Statement is issued. Our current schedule for issuing this document is July 2025.

## Next Steps

If you would like to learn more, contact Jennifer Bruin or Demetri Poulakas at [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca) or 1-800-764-9114.



Miles, Jodi [redacted]

# MFFN CAR Archaeology Reports and IK Funding Agreement Follow Up

**Miles, Jodi** [redacted] Wed, Aug 2, 2023 at 10:44 AM  
 To: Sarah Beamish [redacted]  
 Cc: Chief Elizabeth Kataquapit [redacted], Deputy Chief Terry Meatawabin [redacted], Helen Bird [redacted], Community Core Consultation Coordinator [redacted]  
 Lawrence Baxter [redacted], Bob Baxter [redacted], Qasim Saddique [redacted]  
 <[redacted]>, Jennifer Bruin [redacted], s [redacted] "Deveaux, Leah" <[redacted]>  
 Bcc: MFFN Community Access Road Project Team [redacted]

Good morning Sarah,

I hope all is well. Please see attached the MFFN CAR Project Team's response to Fort Albany First Nation's comments on the Archaeology Assessment Reports, received March 28, 2023.

If you have any questions or concerns about the response provided, please do not hesitate to reach out.

Jodi Miles,  
On behalf of the MFFN CAR Project Team

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[Quoted text hidden]  
T - [redacted]



L-FAFN-08-02-2023-Archaeology Report Response-60593122.docx  
3183K



August 2, 2023  
Fort Albany First Nation



Dear Sarah Beamish,

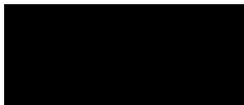
Thank you for your comments on the Draft Stage 1 and Stage 2 Archaeology Assessment Reports for the Marten Falls First Nation Community Access Road, received March 28, 2023.

The Stage 2 Archaeological Assessment (AA) report prepared and circulated was only a very small portion of the area requiring further Stage 2 archaeological fieldwork. The Stage 1 AA report illustrates all of the areas that require further Stage 2 fieldwork. All areas identified in the Stage 1AA report that retain archaeological potential must be subject to Stage 2AA in advance of any ground disturbance. The remaining Stage 2 fieldwork will commence following advancement of a preferred route sometime in 2025 or 2026. Field notices will be distributed in advance of the programs.

Additionally, thank you for your comment about Fort Albany First Nation members sharing information along and near the Albany River system, as well as historic burial sites near James Bay coast. Your comments will be reflected in the updated Stage 2 AA report later in 2023 and we will share the updates with you when they are complete.

In the meantime, if Fort Albany First Nation has any additional information they would like to provide about sensitive areas that should be avoided or included in the Archaeology / Cultural Heritage work to be evaluated for impacts, don't hesitate to reach out. You can respond to the email this letter was attached to, or call Jodi Miles, part of the Marten Falls First Nation Community Access Road Project Team at 

Sincerely,



Qasim Saddique  
Project Director



Lawrence Baxter  
Senior Community Advisor





cc:

- Chief Elizabeth Kataquapit, Fort Albany First Nation
- Deputy Chief Terry Metatawabin, Fort Albany First Nation
- Jacqueline Sutherland, Fort Albany First Nation
- Guy Polden, Fort Albany First Nation Consultant
- Justin Page, Fort Albany First Nation Consultants.
- Bob Baxter, Senior Community Member Advisor, MFFN Community Access Road Project Team
- Jennifer Bruin, Technical Advisor, MFFN Community Access Road Project Team
- Samantha Markham, MFFN CAR Project Consultant
- Leah Deveaux, MFFN CAR Project Consultant





Miles, Jodi [Redacted]

## IK Collection Follow Up

**Miles, Jodi** [Redacted] Wed, Aug 9, 2023 at 9:32 AM  
 To: Sarah Beamish [Redacted]  
 Cc: Chief Elizabeth Kataquapit [Redacted], Deputy Chief Terry Meatawabin [Redacted], Jacqueline Sutherland [Redacted], Guy Polden [Redacted], Kyla Zielbauer [Redacted], Andrea Nokleby [Redacted]  
 Bcc: MFFN Community Access Road Project Team <info@martenfallsaccessroad.ca>

Good morning Sarah,

I hope your summer is treating you well. I wanted to send a quick email to check in about Fort Albany First Nation's IK collection. On June 22, you mentioned that this IK work has been delayed several times, and that a timeline was not possible to provide during that time. I wanted to ask if there has been any update on this process and your ability to provide a timeline, or is it still delayed?

Let me know!

Jodi Miles  
On Behalf of the MFFN CAR Project Team

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**Jodi Miles**  
**Dillon Consulting Limited**  
 [Redacted]  
[www.dillon.ca](http://www.dillon.ca)  
  



Miles, Jodi [REDACTED]

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## IK Collection Follow Up

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**Miles, Jodi** [REDACTED] Wed, Sep 20, 2023 at 11:11 AM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED] Deputy Chief Terry Meatawabin [REDACTED] Jacqueline Sutherland [REDACTED] Guy Polden [REDACTED] Kyla [REDACTED]  
[REDACTED], Andrea Nokleby [REDACTED]

Good morning Sarah,

I hope all is well. I wanted to follow up again to see if there has been any progress on IK collection efforts with Fort Albany, or if you have an anticipated timeline for when IK collection might occur. Let me know!

Thank you,

Jodi Miles  
On Behalf of the MFFN CAR Project Team  
[Quoted text hidden]



Miles, Jodi [REDACTED]

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## MFFN CAR Upcoming Events and Follow-Up Items

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Miles, Jodi [REDACTED]

Thu, Oct 5, 2023 at 4:03 PM

To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED], Guy Polden [REDACTED]  
Bcc: "Poulakas, Demetri" [REDACTED], MFFN Community Access Road Project Team  
<[REDACTED]>

Good afternoon Sarah,

I hope all is well. I am following up about the voicemail I left this morning regarding some project updates and follow-up items. Firstly, I wanted to let you know about three upcoming events, in relation to the MFFN CAR Project:

- **Public Information Centre #5.**
  - The PIC #5 will be held in Thunder Bay and Geraldton from October 23 - 27. Dates and a more formal notice will be shared soon.
  - Join us for updates and information on:
    - Update on what we heard at the Aboriginal and Treaty Rights and Interests (ATRI) forum and plans for the next forum;
    - Update on existing conditions results for completed studies;
    - How Indigenous Knowledge is used and how it informs the process;
    - How route alternatives will be assessed, recommended and a preferred route chosen;
    - Cumulative Effects Assessment and why it is important; and
    - Next steps and future opportunities to get involved.
- **Climate Change Workshop**
  - Workshop to be held in Q1 2024 with interested Indigenous Communities. Dates and a more formal notice will be shared soon.
- **Aboriginal and Treaty Rights and Interests Forum**
  - There will be an upcoming Forum on Aboriginal and Treaty Rights and Interests November 21-23 (Thunder Bay), where cumulative effects will also be presented. More precise dates and a formal notice will be shared soon.

I also wanted to check in about the IK Funding Agreement revisions, which you noted were being reviewed in March 2023. I understand that this process had been delayed due to the evacuations in the community over the summer, but I wanted to ask if there have there been any updates with this since then?

Additionally, I wanted to follow up about the Community Coordinator Program, which you noted that Fort Albany First Nation may be interested in in August 2022. I wanted to check in to see if there have been any decisions made regarding Fort Albany's involvement with the program, or if you had any further questions about it. I am reattaching the job posting for this position for your reference.

Next, I wanted to follow up about a comment made in your review of the RoCE and Milestone #1 Progress reports, where you mentioned that Fort Albany does not consider many of the communications with the MFFN CAR Project Team to be meaningful consultation. I wanted to ask if you had any feedback about how our consultation could be improved, or what the community may need in order for these communications to be considered more meaningful. Please let me know if you have any further details on this topic.

Finally, I wanted to follow up about a comment made in July 2021, where it was noted that Fort Albany First Nation was interested in in-person participation in Field Programs. Would Fort Albany First Nation still like the opportunity to get involved in field programs, or is the community no longer interested?

Any input on the follow-up items above would be greatly appreciated. If you have any questions about the upcoming events, or any topics raised in this email, please do not hesitate to reach out!

Thank you,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



**Jodi Miles**  
**Dillon Consulting Limited**  
[Redacted]  
[www.dillon.ca](http://www.dillon.ca)  
  

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 **2022-10-24-MFFN Community Coordinator Job Posting (1).pdf**  
229K



## MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

# WE'RE HIRING!

Marten Falls First Nation (MFFN) is undertaking a federal Impact Assessment (IA) and provincial environmental assessment (EA) for an all-season access road to our community. To support these studies, we are looking to hire **Community Coordinators**.

**Are you a highly motivated person? Do you have strong organizational and relationship building skills? Would you like to work with a great project team and build experience in environmental management?**

### If so, this could be the role for you!

The Community Coordinator will be a primary point of contact between your community and the MFFN Project Team. We will work closely with you as you help to involve your community in the environmental assessment processes.

### Responsibilities

- Coordinate between the MFFN Project Team and community members living in / outside of your community as per your local practices and in collaboration with Chief and Council;
- Provide advice and guidance on appropriate ways to engage your community—in-person (when appropriate to do so), and virtually during COVID-19;
- Keep informed on Community Access Road Project activities (e.g., timelines, documents, events) and communicate relevant Project information to community members;
- Participate in meetings with the Project Team and other Community Coordinators;
- Provide support for community engagement activities related to the Project including:
  - Coordinate and organize logistics for meetings, workshops, events and / or school visits (e.g., book meeting spaces, order refreshments, help with truck / boat rentals and accommodations);
  - Help identify meeting participants and information providers (e.g., youth and / or elders);
  - Assist with meeting facilitation, note taking and meeting minute preparation, and coordinate translation services, if needed; and
  - Organize distributing Project advertisements and notices in your community; either online (e.g., Facebook or posting in community);
- Assist in collecting data / information in your community (e.g., Indigenous Knowledge, community information and socio-economic information);
- Assist in reviewing draft documents, questionnaires or Project updates / information sheets.

**This position will receive \$25 per hour and is expected to be approximately 16 hours per week for up to 3 years. If you would like to learn more, contact: Jennifer Bruin or James Meyer at [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca) or 1-800-764-9114.**



Miles, Jodi [redacted]

## Invitation - ATRI Forum Nov 21 - 23, 2023

**Nokleby, Andrea** [redacted] Tue, Oct 17, 2023 at 10:00 AM  
 To: Chief Leo Metatawabin [redacted], Sarah Beamish [redacted]  
 [redacted]  
 Cc: Bob Baxter [redacted], Qasim Saddique [redacted], Lawrence Baxter [redacted]  
 [redacted] Jodi Miles [redacted]

Good Morning,

On behalf of the Marten Falls First Nation and Webequie First Nation Project Teams, please find attached an invitation to attend the Second Aboriginal and / or Treaty Rights Forum related to the following projects:

- Webequie Supply Road (WSR)
- Marten Falls Community Access Road (MFCAR)
- Northern Road Link (NRL)

Building on the first Forum held in February 2023, this follow-up Forum provides an opportunity to identify and discuss potential impacts to northern Indigenous communities' Aboriginal and/or Treaty Rights and interests as they relate to the above Projects.

Day 1 and 2 of the Forum will focus on Aboriginal and / or Treaty Rights and Interests. On Day 3, we will be hosting a half-day discussion on Cumulative Effects as they relate to the Projects.

If you have any questions regarding the Forum or need additional information to engage your community please do not hesitate to reach out to us using the following contact information:

WSR: Michael Fox: [redacted]  
 MFCAR: Andrea Nokleby: [redacted]  
 NRL: Mishal Naseer: [redacted]

We look forward to seeing you there.

Have a great day,

Andrea



**Andrea Nokleby**  
Partner



[www.dillon.ca](http://www.dillon.ca)



 **Invitation ATRI Second Forum - October 2023.pdf**  
4559K

# ABORIGINAL AND / OR TREATY RIGHTS AND INTERESTS

WEBEQUIE SUPPLY ROAD (WSR) • MARTEN FALLS COMMUNITY ACCESS ROAD (MFCAR) • NORTHERN ROAD LINK (NRL)

# YOU ARE INVITED!

## ABORIGINAL AND / OR TREATY RIGHTS AND INTERESTS FORUM

Led by Webequie First Nation and Marten Falls First Nation

Funded by Ontario, our Treaty partner



### Thunder Bay

Valhalla Inn, 1 Valhalla Inn Rd

November 21 - 23, 2023



Building on the momentum of the first Aboriginal and / or Treaty Rights and Interests Forum in February 2023, Webequie First Nation and Marten Falls First Nation encourage you to participate in a follow-up Forum to discuss potential impacts to northern Indigenous communities' Aboriginal and / or Treaty Rights and Interests as they relate to the following Projects:

**Webequie Supply Road (WSR) • Northern Road Link (NRL) • Marten Falls Community Access Road (MFCAR)**



### Participant Funding

The Province of Ontario will fund up to 3 representatives from your community to attend the Forum, including travel, accommodation and meals. All questions about funding or the coordination of funding should be directed to the Province of Ontario at [ea.participant.fund@ontario.ca](mailto:ea.participant.fund@ontario.ca).

Additional community representatives are welcome to attend.



### Purpose

The Purpose of this Forum is to create a respectful, culturally-sensitive, and collaborative space to develop and/or confirm our understanding of the Project areas (WSR, MFCAR, and NRL) as your Aboriginal and / or Treaty Rights and Interests may be impacted by these Projects. *Please note the purpose of this event is to discuss Aboriginal and / or Treaty Rights and Interests and not to collect Indigenous Knowledge.*



### Who Should Attend from your Community

Representatives who are knowledgeable about and comfortable speaking to the Rights and Interests of your community in any of the Project areas. Representatives who can continue this dialogue with their community to better understand and share Rights and Interests in any of the Project areas are also encouraged to attend.

**On Day 3 of the Forum, we will be hosting a half-day discussion on Cumulative Effects as they relate to the Projects.**

RSVP to [ea.participant.fund@ontario.ca](mailto:ea.participant.fund@ontario.ca) by October 23<sup>rd</sup>, 2023 to reserve your room at the Valhalla Inn. (Later RSVP for Forum attendance is OK!)



MARTEN FALLS FIRST NATION  
**COMMUNITY ACCESS ROAD**



Ontario



Miles, Jodi &lt;[REDACTED]&gt;

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## MFFN CAR Project Updates

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Miles, Jodi [REDACTED] Fri, Nov 10, 2023 at 10:35 AM

To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED], Guy Polden [REDACTED]  
Bcc: MFFN Community Access Road Project Team [REDACTED], "Poulakas, Demetri" [REDACTED], Lucia Jara Moreno [REDACTED]

Good morning Sarah,

Thank you for taking the time to talk with me yesterday about upcoming events for the Project. I am sending this email to follow up about the topics discussed in our phone call, and to provide additional details where needed.

### Route Selection Webinar:

Fort Albany First Nation is invited to join us for a new webinar series on the Community Access Road. The first webinar is on **Route Selection**.

**Date:** Thursday November 16, 2023

**Time:** 4:00pm EST.

Please register [HERE](#).

### ATRI Forum #2:

Fort Albany First Nation is invited to join us on the second ATRI Forum.

It will be held at the Valhalla Inn in Thunder Bay from November 21-23, 2023. Building on the first Forum held in February 2023, this follow-up Forum provides an opportunity to identify and discuss potential impacts to northern Indigenous communities' Aboriginal and/or Treaty Rights and interests as they relate to the above Projects.

Day 1 and 2 of the Forum will focus on Aboriginal and / or Treaty Rights and Interests. On Day 3, we will be hosting a half-day discussion on Cumulative Effects as they relate to the Projects.

**Location:** Valhalla Inn, Thunder Bay

**Date:** November 21-23, 2023

Additionally, join us Tuesday Nov 21 at 7:00 at the Valhalla Inn for the movie screening of Bridges to the North - a story about Webquie and Marten Falls First Nation

Check out the Movie Trailer here: <https://www.youtube.com/watch?v=TDk14SrDdgo>

### Climate Change Workshop:

Workshop to be held in Q1 2024 with interested Indigenous Communities. Dates and a more formal notice will be shared soon.

### IK Sharing Agreement and Community Coordinator Program

During our phone call, I asked if there have been any updates about the IK Funding Agreement, which Fort Albany First Nation is in the process of revising. I also asked if there have been any updates regarding Fort Albany First Nation's interest in participating in the Community Coordinator Program. You noted that there have been no updates for either topic due to various delays. However, you shared that you are in the process of setting up a meeting with Fort Albany leadership, and that the IK Funding Agreement and the Community Coordinator Program will be agenda items when this meeting occurs.

### Request for a List of Baseline Studies

You noted that Fort Albany First Nation has requested a list of baseline studies related to the MFFN CAR Project, and asked if I could provide one. I shared that I would work with my team to put this list together for you. I will follow up with you and provide this information as soon as I can.

Please let me know if you have any questions or concerns,

Thanks

Jodi Miles  
On Behalf of the MFFN CAR Project Team

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**Jodi Miles**  
**Dillon Consulting Limited**  
[Redacted contact information]  
[www.dillon.ca](http://www.dillon.ca)  
  



Miles, Jodi <[redacted]>

# Marten Falls First Nation Community Access Road Project Introduction Letter

Miles, Jodi [redacted] Fri, Nov 10, 2023 at 10:59 AM  
 To: Guy Polden [redacted]  
 Cc: Justin Page [redacted], Knut Kitching [redacted], Sarah Beamish [redacted]  
 Bcc: Lucia Jara Moreno [redacted] MFFN Community Access Road Project Team

Hello Guy,

Absolutely, thank you for the update!

Take care,  
Jodi

[Quoted text hidden]

[Quoted text hidden]



[redacted]  
[www.dillon.ca](http://www.dillon.ca)  






Miles, Jodi [REDACTED]

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## MFFN CAR Project Updates

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Miles, Jodi [REDACTED] Fri, Nov 10, 2023 at 2:06 PM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED] Jacqueline Sutherland [REDACTED], Knut Kitching [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED], "Poulakas, Demetri" [REDACTED], MFFN Community Access Road Project Team [REDACTED]

Hi Sarah,

Yes, absolutely. I will make note of that request to our team.

Thanks,

Jodi Miles  
On Behalf of the MFFN CAR Project Team  
[Quoted text hidden]



Miles, Jodi <[redacted]>

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## MFFN CAR Project Updates

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Miles, Jodi [redacted] Mon, Nov 20, 2023 at 8:24 AM  
To: Sarah Beamish [redacted]  
Cc: Chief Elizabeth Kataquapit [redacted] Deputy Chief Terry Meatawabin [redacted] Jacqueline Sutherland [redacted] Knut Kitching [redacted]  
Bcc: Lucia Jara Moreno [redacted] "Poulakas, Demetri" [redacted] MFFN Community Access Road Project Team [redacted]

Good morning Sarah,

I hope all is well. I am following up to provide a schedule of MFFN CAR baseline studies, as promised. The attached document provides a list of past and future field programs along with their start/end dates and completion status. If there is any other information you need, please let me know.

I hope this helps!

Jodi Miles  
On Behalf of the MFFN CAR Project Team  
[Quoted text hidden]

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 **MFFN CAR Nat Soc-Sci Field Program Schedule.pdf**  
131K

## MFCAR Field Programs

	Activity	Field Program Status	Program Length (days)	START	END
<b>2019 Field Programs</b>					
Fish Fish Habitat and SW	Summer Field Program (SW + Fish)	Completed	6 days	5-Sep-19	10-Sep-19
Bats	Bats Autonomous Recording Unit (ARU) (deployment and collection)	Completed	4 days	13-Jun-19	16-Jun-19
Birds	Birds (ARU, Species specific surveys)	Completed	5 days	13-Jun-19	17-Jun-19
Wildlife Remote Camera installation and checks, furbearer ground tracking survey, wolverine denning surveys)	Installation	Completed	5 days	13-Jun-19	17-Jun-21
	Retrieved	Completed	3 days	2-Sep-19	4-Sep-19
Acoustic Monitoring	Acoustic Monitoring Program	Completed	4 days	3-Nov-19	6-Nov-19
Physiography and Vegetation	Physiography Soils and Terrain Surveys & Vegetation Survey	Completed	5 Days	13-Jun-19	17-Jun-19
<b>2020 Field Programs</b>					
Fish Fish Habitat and SW	Summer Field Program (SW + Fish)	Completed	13 Days	14-Oct-20	26-Oct-20
<b>2021 Field Programs</b>					
Air Monitoring	Installation & Training	Completed	4 days	13-May-21	16-May-21
	Maintenance visit (3-month)	Completed	3-4 days	15-Aug-21	18-Aug-21
	Maintenance visit (6-month)	Completed	3-4 days	24-Nov-21	26-Nov-21
Wildlife	Bat ARU Program 2021	Completed	10 days	7-Jun-21	16-Jun-21
	Bat ARU Retrieval 2021	Completed	13 Days	18-Sep-21	1-Oct-21
Ungulates	Remote Camera Program (Deploy)	Completed	10 days	7-Jun-21	16-Jun-21
	Remote Camera Program (Trip 1)	Completed	8 days	31-Oct-21	7-Nov-21
General	Preparedness Day (Health and Safety Training) - Thunder Bay- Session 1	Completed	1 day	9-Aug-21	9-Aug-21
	Preparedness Day (Health and Safety Training) - Thunder Bay- Session 2	Completed	1 day	12-Aug-21	12-Aug-21
	Preparedness Day (Health and Safety Training)- MFFN community	Completed	1 day	1-Nov-21	1-Nov-21
Fish Fish Habitat and SW	Summer Field Program (SW + Fish)	Completed	10 Days	10-Sep-21	19-Sep-21
Physiography and Vegetation	Vegetation Surveys (Support data to collect Veg, Peatlands, physiography) Part 1	Completed	13 Days	18-Sep-21	1-Oct-21
<b>2022 Field Programs</b>					
General	Wilderness First Aid Training - Day 1 - Golder Thunder Bay	Completed	1	16-Dec-21	16-Dec-21
	Wilderness First Aid Training - Day 2 - Thunder Bay	Completed	1	26-Jan-22	26-Jan-22
Air Monitoring	Maintenance visit (9-month)	Completed	3	14-Mar-22	17-Mar-22
	Decommission	Completed	4	10-Jul-22	14-Jul-22
Ungulates	Aerial Winter Survey - Winter 2022	Completed	10	6-Feb-22	16-Feb-22
	Remote Camera Program (Trip 1, Part 2)/	Completed- ended early due to weather	4	19-Jan-22	23-Jan-22
	Mortality Investigation	Completed	5	10-Jun-22	15-Jun-22
	Remote Camera Program (Trip 2)	Completed	3	10-Apr-22	13-Apr-22
	Remote Camera Program (Trip 3)/ Mortality Investigation	Completed	13	3-May-22	16-May-22
	Remote Camera Program (Trip 4)/Mortality Investigation	Completed	5	26-Oct-22	31-Oct-22
Wildlife (WHS Program)	Wolverine Hair Snag Program (Trip 1/Deploy)	Completed	11	31-Jan-22	11-Feb-22
	Wolverine Hair Snag Program (Trip 2 Rebait)	Completed	11	7-Mar-22	18-Mar-22
	Wolverine Hair Snag Program (Trip 3 Rebait)	Completed	9	4-Apr-22	13-Apr-22
	Wolverine Hair Snag Program (Trip 4 Rebait)	Completed	11	3-May-22	14-May-22
	Wolverine Hair Snag Program (Trip 5/Takedown)	Completed	15	31-May-22	15-Jun-22
Wildlife (Groundtracking)	Furbearer Ground Track Survey - Trip 1	Completed- ended early due to weather	4	19-Jan-22	23-Jan-22
Wildlife/ Groundwater (Wolverine Den Surveys)	Wolverine Denning Survey (Trip 1)	Completed	3	12-Mar-22	15-Mar-22

## MFCAR Field Programs

	Activity	Field Program Status	Program Length (days)	START	END
Birds (ARU Program)	ARU Program - Spring 2022 (Deploy) (Trip 1)	Completed	5	10-Mar-22	15-Mar-22
	ARU Program - (Trip 2)	Completed	5	10-Apr-22	15-Apr-22
	ARU Program - Summer 2022 (Trip 3)	Completed	13	3-May-22	16-May-22
	ARU Program- Summer Data Collection (Trip 4)	Completed	4	9-Aug-22	13-Aug-22
Birds (Aerial Waterfowl Migration)	Aerial Waterfowl Migration Surveys - Early Season (Spring)	Completed	2	13-May-22	15-May-22
	Aerial Waterfowl Migration Surveys - Late Season (Fall) Part 1	Completed	1	9-Sep-22	9-Sep-22
	Aerial Waterfowl Migration Surveys - Late Season (Fall) Part 2	Completed	2	27-Sep-22	29-Sep-22
Birds (Breeding Aerial Surveys)	Breeding Season Aerial Survey Spring 2022 - Trip 1	Completed	2	13-May-22	15-May-22
	Breeding Season Aerial Survey Spring 2022 - Trip 2	Completed	2	11-Jun-22	13-Jun-22
	Breeding Season Aerial Survey Spring 2022 - Trip 3	Completed	2	22-Jun-22	24-Jun-22
Birds (Breeding Point Counts)	Breeding Bird Point Counts, Marsh Playback Surveys, EWPW ARU - Trip 1	Completed	9	1-Jun-22	10-Jun-22
	Breeding Bird Point Counts, Marsh Playback Surveys, EWPW ARU - Trip 2	Completed	9	25-Jun-22	4-Jul-22
Physiography and Vegetation	Physiography and Terrain Surveys - Trip 1	Completed	9	28-May-22	6-Jun-22
	Physiography and Terrain Surveys (Soil) - Trip 2	Completed	12	26-Sep-22	8-Oct-22
	Vegetation Surveys (Support data to collect Veg, Peatlands, physiography) Part 2	Completed	6	12-Jul-22	18-Jul-22
Fish Fish Habitat and SW	Spring Field Program (SW and FFH) (Crew 1)	Completed	9	21-Jun-22	30-Jun-22
	Spring Field Program (SW and FFH) (Crew 2)	Completed	9	22-Jun-22	1-Jul-22
	Summer Field Program (SW and FFH) (Crew 1)	Completed	11	15-Aug-22	26-Aug-22
	Summer Field Program (SW and FFH) (Crew 2)	Completed	11	15-Aug-22	26-Aug-22
Groundwater	Tree Clearing	Completed	19	5-Sep-22	24-Sep-22
	Groundwater well drilling and installation	Completed	64	7-Sep-22	10-Nov-22
	Groundwater well monitoring, testing, and sampling (following installation) Part 1	Completed	17	15-Oct-22	1-Nov-22
<b>2023 Field Programs</b>					
Birds (ARU Program)	ARU Program - Winter 2023 (Collect) (to be combined w/ WHS Program)	Completed	4	31-Jan-23	11-Feb-23
Wildlife (WHS Program)	Wolverine Hair Snag Program (Year 2/Deploy)	Completed	5	01-Feb-23	06-Feb-23
	Wolverine Hair Snag Program (Rebait)	Completed	5	07-Mar-23	12-Mar-23
	Wolverine Hair Snag Program (Rebait)	Completed	4	10-Apr-23	14-Apr-23
	Wolverine Hair Snag Program (Rebait)	Completed	6	09-May-23	14-May-23
	Wolverine Hair Snag Program (Retrieval)	Completed	7	05-Jun-23	11-Jun-23
Wildlife (Groundtracking)	Furbearer Ground Track Survey - (plus Aerial)	Completed	5	08-Jan-23	12-Jan-23
	Wolverine Denning Reconnaissance Survey	Completed	3	20-Mar-23	22-Mar-23
Ungulates	Ungulate Fixed Wing Aerial Transect Survey – Year 2	Completed	9	16-Feb-23	24-Feb-23
	Ungulae Rotary Wing Aerial Survey – Year 2	Completed	9	16-Feb-23	24-Feb-23
	Ungulate Remote Camera Retrieval	Completed	6	05-Jun-23	11-Jun-23
	Ungulate Mortality Investigations (if required)	Completed	2	23-Mar-23	24-Mar-23
	Ungulate Mortality Investigations (if required)	Completed	1	26-Sep-23	26-Sep-23
Groundwater	Groundwater well drilling recon.	Completed	1	24-Mar-23	24-Mar-23
	Groundwater Well monitoring, testing and Sampling (Year 2)- Trip 2	Completed	20	09-Apr-23	28-Apr-23
	Groundwater Well Drilling Catchup Program Y2	Completed	12	01-Jun-23	11-Jun-23
	Groundwater Well Sampling - Spring	Completed	9	26-Jun-23	5-Jul-23
	Groundwater Well Sampling - Summer	Completed	10	08-Aug-23	18-Aug-23

## MFCAR Field Programs

	Activity	Field Program Status	Program Length (days)	START	END
	Groundwater Well Sampling - Fall	Completed	7	19-Sep-23	25-Sep-23
<b>Cultural Heritage</b>	Cultural Heritage Landscapes & Built Heritage Interviews	Completed	1	18-Jul-23	18-Jul-23
	Data Collection via workshop - linked to IK data collection (2022)	Completed	2	04-Feb	06-Feb-23
<b>Socio Economic</b>	Youth Focus Group in Thunder Bay	Completed		20-Jul-23	20-Jul-23
	Socio-Economic Online Survey Period (With support)	Completed	1	17-Jul-23	24-Oct-23
	Socio-Economic / Health Focus Surveys (in-person)	Completed	1	19-Jul-23	19-Jul-23
	Socio-Economic / Health Focus Surveys (in-person)	Completed	2	23-Oct-23	24-Oct-23
<b>Physiography and Vegetation</b>	Vegetation and Peatlands Field Program	Completed	3	15-Jun-23	18-Jun-23
	Vegetation Field Program	Completed	3	03-Aug-23	06-Aug-23
<b>2024 Field Programs</b>					
<b>Groundwater</b>	Groundwater well monitoring - Spring	TBD		TBD	TBD
	Groundwater well monitoring - Summer	TBD		TBD	TBD
	Groundwater well monitoring - Fall	TBD		TBD	TBD
<b>Ungulates</b>	Collar Retrieval - collar drop off in February 2024, collars retrieved (Feb - June 2024)	TBD		TBD	TBD
	Mortality Investigations (As needed)	If Required		TBD	TBD
	Manual Collar Removals (if necessary) - March 2024	If Required		TBD	TBD
<b>2025 Field Programs</b>					
<b>Archaeology</b>	Stage 2 AA on Preferred Route +10m corridor	TBD		TBD	TBD
<b>Groundwater</b>	Monitoring well decommissioning	TBD		TBD	TBD



Miles, Jodi [Redacted]

## MFFN CAR Milestone 2 Progress Report

MFFN Community Access Road Project Team [Redacted]

Mon, Nov 27, 2023 at 1:08 PM

To: [Redacted]  
Cc: [Redacted]

Dear Chief Elizabeth Kataquapit,

We hope this email finds you well.

The Milestone #2 Progress Report for the Marten Falls First Nation Community Access Road has been drafted and is ready for review. The following link includes the Report and associated appendices to view or download, for Fort Albany First Nation: [Redacted].

The Milestone #2 Progress Report covers July 1, 2022, to May 31, 2023.

We welcome any edits or comments to your community-specific section by **February 15, 2024**, before the reports are finalized and shared publicly with the Draft Environmental Assessment Report / Impact Statement.

If you have any questions or would like to schedule a meeting to discuss the reports and timeline, please reply to this email. We also kindly ask if you could let us know if you received this email and can view / download the documents successfully.

If you have any questions or comments about the Community Access Road, please reply to this email or give us a call at 1-800-764-9114.

Sincerely,  
Marten Falls First Nation Community Access Road Project Team

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MFFN Community Access Road Project Team  
Visit our website: <http://www.martenfallsaccessroad.ca/>  
Follow us on Facebook: <https://www.facebook.com/MFFNCommunityAccessRoadProject/>  
Call us: 1 800-764-9114  
Email us: [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca)



Miles, Jodi [REDACTED]

## For Review - Draft Preliminary Aboriginal and / or Treaty Rights and Interests Existing Conditions Report

Nokleby, Andrea [REDACTED]

Tue, Nov 28, 2023 at 4:50 PM

To: Chief [REDACTED]

Sarah Beamish [REDACTED],

Cc: Bob Baxter [REDACTED]

, Lawrence Baxter [REDACTED]

, Qasim Saddique [REDACTED]

Jennifer Bruin [REDACTED]

, Jodi Miles [REDACTED]

### Booshoo / Wachea,

Marten Falls First Nation is completing a Federal Impact Assessment and Provincial Environmental Assessment for the Proposed Community Access Road Project.

Marten Falls First Nation is **required** to complete an Assessment of Potential Impacts on the Rights of Indigenous Peoples, as part of the assessment processes. Marten Falls First Nation also **wants** to understand your rights and how they may be affected by the proposed Project.

The Project Team has prepared the attached ***Draft Preliminary Aboriginal and / or Treaty Rights and Interests Existing Conditions Report***, which describes our current understanding of your community's Aboriginal and / or Treaty Rights and Interests as they relate to the proposed Project.

This report is important because it will be used for the future impact / environmental assessment (i.e., this report is not the assessment). In order to do a meaningful impact assessment in the future, the Project Team really needs to understand your community's rights and / or interests with respect to the proposed Project.

The Report has been prepared based on any information provided directly to Marten Falls First Nation and publicly available sources of information.

We want to work with you to update the Draft Preliminary Existing Conditions Report with information your community chooses to share with Marten Falls First Nation. Important dates to note:

- We are asking for communities to provide input on the draft report by **January 19, 2024**, where possible, so it can be woven into the Draft Impact Statement / Environmental Assessment Report (2024).
- Additional information, feedback, comments and edits can be shared after this date. This Draft Preliminary Existing Conditions Report will not be finalized until later in 2024.
- Information **received after January 19, 2024** will be woven into the next phases of the assessment processes including the Final Environmental Assessment / Impact Statement Report (2025).

We would be more than happy to meet with you to:

- Hear your feedback - what did we miss, what did we get wrong, what is correct?
- Discuss the best way to update the report; and
- Review and discuss the Project schedule and next steps.

**It is important to note** that this is an iterative process, and we will continue to update our understanding of your rights and / or interests as we work towards completing the Impact Statement / Environmental Assessment.

We hope all is well with you and your community.

Andrea



**Andrea Nokleby**  
*Partner*  
**Dillon Consulting Limited**



[www.dillon.ca](http://www.dillon.ca)



**DRAFT - ATRI Preliminary Existing Conditions Report - Fort Albany First Nation Nov 28, 2023.pdf**  
19628K



Miles, Jodi [REDACTED]

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## MFFN CAR Milestone 2 Progress Report

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MFFN Community Access Road Project Team [REDACTED] >

Wed, Nov 29, 2023 at 12:28 PM

To: [REDACTED]  
Cc: [REDACTED]

Due to technical issues, the Milestone #2 Progress Report was updated on November 28, 2023. The link in the original email remains valid. Please download the new version of the report provided in the community specific folder.

Apologies for any inconvenience.

Sincerely,

Marten Falls First Nation Community Access Road Project Team

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MFFN Community Access Road Project Team

Visit our website: <http://www.martenfallsaccessroad.ca/>

Follow us on Facebook: <https://www.facebook.com/MFFNCommunityAccessRoadProject/>

Call us: 1 800-764-9114

Email us: [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca)

[Quoted text hidden]



Miles, Jodi [redacted]

## MFFN CAR Socio-economic Assessment Interest

Miles, Jodi [redacted] Thu, Dec 7, 2023 at 1:42 PM  
 To: Chief Elizabeth Kataquapit [redacted], Sarah Beamish [redacted]  
 Cc: Lawrence Baxter [redacted], Bob Baxter [redacted], Qasim [redacted]  
 [redacted], Jennifer Bruin [redacted], Don McKinnon [redacted], Ingrid  
 Trimble [redacted], "Fisken, Avril" [redacted], Bethany Haalboom [redacted]  
 Deputy Chief Terry Meatawabin [redacted], Jacqueline Sutherland [redacted], Justin Page  
 [redacted], Knut Kitching [redacted]  
 Bcc: Lucia Jara Moreno [redacted], "Poulakas, Demetri" [redacted], MFFN Community  
 Access Road Project Team [redacted]

Dear Chief Kataquapit and Sarah,

Marten Falls First Nation (MFFN) is continuing the provincial Environmental Assessment (EA) and Federal Impact Assessment (IA) for the proposed Marten Falls Community Access Road (MFCAR) Project that is to provide all season access to the community. Attached is a letter requesting if Fort Albany First Nation has any interests or concerns regarding possible social-community and/or economic impacts as a result of the MFCAR project. Please also note that this request is different from other requests sent to your community regarding the collection of Indigenous Knowledge and information pertaining to the assessment of impacts to Indigenous rights.

Should your community have socio-economic interests or concerns related to the MFCAR project we would like to hear from you by December 30, 2023.

Thank you,

Jodi Miles,  
 On Behalf of the MFFN CAR Project Team

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**Jodi Miles**  
 [redacted]  
[www.dillon.ca](http://www.dillon.ca)  
  

 L-FAFN-12-07-2023-OG-Socio-econ IC interest check letter.pdf  
 429K



December 07, 2023

Fort Albany First Nation



*Sent via email*

## **Marten Falls First Nation Community Access Road Project – Socio-economic Assessment Interest**

Dear Chief Kataquapit,

Marten Falls First Nation (MFFN) is continuing the provincial Environmental Assessment (EA) and Federal Impact Assessment (IA) for the proposed Marten Falls First Nation Community Access Road (MFFN CAR) Project that is to provide all season access to the community. As per previous correspondence sent to your community, the Project is currently in the process of assessing alternative routes for the proposed access road. Most recently, Public Information Centres and webinars have been held to present information related to alternative route assessment. A preferred route is to be confirmed in early 2024.

Once the preferred route is selected, an assessment of possible Project impacts is to be undertaken. This impact assessment is to be completed in spring 2024 and a draft EA Report/IA Statement is to be completed and released in summer 2024.

The purpose of this letter is to again request **if your community has any interests or concerns regarding possible social-community and/or economic impacts as a result of the MFFN CAR project?** The construction of the Community Access Road has the potential to result in various social and economic effects, particularly for those communities that would be connected to or have access to the proposed road. This could include both potential positive and negative effects. Attached to this letter are a list of the possible social and economic effects of the Project that are to be assessed.

To meet the requirements of the Federal IA process, we are required to assess potential social and economic effects of the MFFN CAR project on all communities that have been identified for engagement. If your community has interests or concerns regarding possible social and/or economic effects from the MFFN CAR Project then we would like to hear from you. We would like to understand your concerns and explore related information collection that might include interviews with community representatives and/or community surveys.

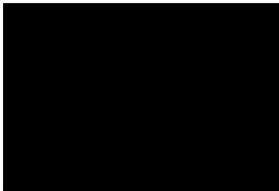




Please also note that this request is different than other requests sent to your community regarding the collection of Indigenous Knowledge and information pertaining to the assessment of impacts to Indigenous rights.

Please get in touch with Jodi Miles at [REDACTED] should you have interest in and or would like to talk about concerns related to potential social and/or economic impacts of the MFFN CAR project.

Yours truly,



Lawrence Baxter

MFFN CAR Project Team Member/MFFN Community Member





## What Are the Possible Social and Economic Effects of the Marten Falls First Nation Community Access Road Project?

### Social:

- Community populations.
- Supply and demand for housing and community services like education and childcare.
- Change in volume of traffic on existing roads that would connect with the Marten Falls Community Access Road.
- Change in local air quality and noise levels that could result in nuisance effects.
- Changes to community wellbeing.

### Economic:

- New business opportunities.
- Change in regional economic activity.
- Project procurement opportunities (goods and services required for the project).
- Changes to the price of goods in local communities, traditional economies, job opportunities and training opportunities.
- Government expenditures and tax revenue.
- Regional economy, including changes to: prices for goods and services.
- Impact to local business operations, the labour market including employment and training, and public finances.





Miles, Jodi [REDACTED]

## MFFN CAR December Project Updates

Miles, Jodi [REDACTED]

Fri, Dec 8, 2023 at 2:45 PM

To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED], Knut Kitching [REDACTED]  
Bcc: "Poulakas, Demetri" [REDACTED], MFFN Community Access Road Project Team [REDACTED]  
[REDACTED] Lucia Jara Moreno [REDACTED]

Good afternoon Sarah,

Thank you for taking the time to speak with me yesterday, it was great to hear from you. I am sending this email to provide an overview of our discussion, and to also provide some details about some topics we didn't have time to discuss.

### Socio-Economic Interest Letter

As discussed during our phone call, Fort Albany First Nation received a letter requesting if they have any interests or concerns regarding possible social-community and/or economic impacts as a result of the MFFN CAR Project. You confirmed the receipt of this letter and asked about the flexibility of this timeline, due to concerns about time constraints during the holiday season. I have since spoken with my team about this, and I wanted to clarify that this deadline is only for communities to let us know whether they have interest and want to discuss/share information with us in the future. We are not expecting information about social-community and/or economic impacts to be shared before the end of December, this would have a more flexible deadline. Let me know if this helps answer your questions, or if you have any further questions or concerns about this.

### Milestone #2 Progress Report

Secondly, I wanted to request that you confirm the receipt of the Milestone #2 Progress Report, which was shared with Fort Albany First Nation on November 29, 2023. This report covers all consultation with Fort Albany First Nation from July 1, 2022, to May 31, 2023, and we welcome any edits or comments to Fort Albany's community-specific section by February 15, 2024. After this, the reports will be finalized and shared publicly with the Draft Environmental Assessment Report / Impact Statement. Please let me know if you received this report, and if you have any questions about the reports and timeline. **Webinars** The webinar on Route Selection took place Thursday, November 16, 2023, at 4:00 p.m. EST.

The recording of the Webinar can be accessed [HERE](#).

Other upcoming webinars include topics such as Climate Change, Engineering and Cumulative Effects, and will be held in Q1 2024 with interested Indigenous Communities. Dates and a more formal notice will be shared soon. **IK Program**

Based on previous conversations, I understand that Fort Albany First Nation is delayed with IK collection. That being said, we wanted to remind all communities that the December 11, 2023 milestone for the submission of Indigenous Knowledge is approaching. It is important that this information is received so that it can be included in the draft Environmental Assessment / Impact Statement. I would also like to note that IK can still be submitted after this milestone date, as there will be opportunities to incorporate it into the Environmental Assessment / Impact Statement after the draft is complete. Please let me know if you have any questions about the IK Program, or feel welcome to reach out directly to Bob Baxter at [REDACTED] or [REDACTED] or Andrea Nokleby at [REDACTED] or [REDACTED].

**ATRI Forum**

**#2** The ATRI Forum #2 was held at the Valhalla Inn, in Thunder Bay on November 21 - 23. During the forum we heard from various Indigenous communities' on their Aboriginal and/or Treaty Rights and interests as they relate to the Project. Please let me know if you have any further questions. Happy Holidays! Jodi Miles On Behalf of the MFFN CAR Project Team



**Jodi Miles**  
**Dillon Consulting Limited**

[Redacted]

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Miles, Jodi [REDACTED]

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## MFFN CAR December Project Updates

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Miles, Jodi [REDACTED] Fri, Dec 8, 2023 at 3:44 PM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED], Knut Kitching [REDACTED]  
Bcc: "Poulakas, Demetri" [REDACTED], MFFN Community Access Road Project Team [REDACTED]  
[REDACTED] >, Lucia Jara Moreno [REDACTED]

Hello again Sarah,

I apologize for the formatting issues toward the end of this email - not sure what happened there! Let me know if you'd like me to try to resend it so it's easier to read.

Jodi  
[Quoted text hidden]



Miles, Jodi [REDACTED]

## Milestone #2 Progress Report and ATRI Report reminders

Miles, Jodi <[REDACTED]> Thu, Jan 11, 2024 at 2:24 PM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED], [REDACTED], Knut Kitching [REDACTED]  
Bcc: MFFN Community Access Road Project Team [REDACTED], "Poulakas, Demetri" [REDACTED]  
[REDACTED] Lucia Jara Moreno [REDACTED]

Dear Sarah,

I hope this email finds you well, and that you had a great holiday season.

On November 27, 2023, we sent you the Milestone #2 Progress Report for the Marten Falls First Nation Community Access Road (MFFN CAR) Project, with an updated link to your report provided on November 29, 2023, for your review. The link to this report can be found [here](#).

The Milestone #2 Progress Report covers engagement that occurred for the MFFN CAR Project between July 1, 2022, to May 31, 2023.

We welcome any edits or comments to the Report you received by **February 15, 2024**. If you could confirm that you were able to view/download the documents successfully, it would be greatly appreciated.

Additionally, we sent you the Draft Preliminary Aboriginal and / or Treaty Rights and Interests Existing Conditions Report on November 28, 2024 (see attached). We are asking for communities to provide input on the draft report by **January 19, 2024**.

Providing feedback by this date will allow it to be woven into the Draft Impact Statement / Environmental Assessment Report (2024). However, additional information, feedback, comments and edits can be shared after this date, as the Preliminary Existing Conditions Report will not be finalized until later in 2024, and the Environmental Assessment / Impact Statement Report will be finalized in 2025.

If you have any questions or would like to schedule a meeting to discuss these reports and timelines, please let me know.

Sincerely,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



Jodi Miles  
Dillon Consulting Limited

[REDACTED]  
[www.dillon.ca](http://www.dillon.ca)



**DRAFT - ATRI Preliminary Existing Conditions Report - Fort Albany First Nation Nov 28, 2023 (1).pdf**  
19628K



Miles, Jodi [REDACTED]

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## Milestone #2 Progress Report and ATRI Report reminders

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Miles, Jodi [REDACTED] Fri, Jan 19, 2024 at 8:49 AM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED],  
[REDACTED] Knut Kitching [REDACTED], Andrea Nokleby [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED], "Poulakas, Demetri" [REDACTED], MFFN Community  
Access Road Project Team [REDACTED]

Good morning Sarah,

Thank you for the update! Next week is totally fine for providing comments on the ATRI draft report. We look forward to receiving Fort Albany First Nation's comments on both of these reports.

I was also wondering if you had any update regarding Fort Albany First Nation's IK collection process? I understand that these efforts have been delayed and that we are still in the process of finalizing the IK Funding Agreement, but I'm wondering if there is any type of timeline for the submission of an IK report? Let me know!

Thank you again,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



Miles, Jodi [REDACTED]

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## Milestone #2 Progress Report and ATRI Report reminders

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Miles, Jodi [REDACTED] Tue, Jan 23, 2024 at 2:27 PM  
To: Knut Kitching [REDACTED]  
Cc: Sarah Beamish [REDACTED], Chief Elizabeth Kataquapit [REDACTED] Deputy Chief  
Terry Meatawabin [REDACTED], Andrea Nokleby [REDACTED], Community Core  
Consultation Coordinator [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED] "Poulakas, Demetri" [REDACTED] MFFN Community  
Access Road Project Team [REDACTED]

Hello Sarah and Knut,

Thank you both for providing these updates. I am sorry to hear about the death in the community, and I am sending my condolences.

I also wanted to confirm that we have received the preliminary comment regarding the ATRI report that was sent in your email on Friday, Sarah. We are currently putting together a response so you will hear from us in the near future.

Let me know if you have any questions or concerns about the ATRI report, Milestone #2 report, or IK collection.

Thanks again,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



Miles, Jodi [REDACTED]

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## MFFN CAR January Project Updates

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Miles, Jodi [REDACTED]

Tue, Jan 23, 2024 at 3:06 PM

To: Sarah Beamish [REDACTED]

Cc: Chief Elizabeth Kataquapit [REDACTED]

, Deputy Chief Terry Meatawabin [REDACTED]

Knut Kitching [REDACTED]

Jacqueline Sutherland [REDACTED]

Bcc: "Poulakas, Demetri" [REDACTED]

, MFFN Community Access Road Project Team [REDACTED]

Lucia Jara Moreno [REDACTED]

Good afternoon Sarah,

I hope all is well. I am sending this email to follow up about the voicemail I left for you earlier today.

### ATRI Existing Conditions Report

Firstly, thank you for providing an update on Fort Albany First Nation's response to the draft ATRI Existing Conditions Report, and for providing a preliminary comment. I wanted to confirm that we have received this comment and are in the process of preparing a response. We look forward to reviewing the rest of Fort Albany's comments next week.

If you have any questions or would like to schedule a meeting to discuss the ATRI report, please let me know.

### Milestone #2 Progress Report

Thank you for confirming that Fort Albany First Nation will be providing comments on the Milestone #2 Progress Report. As a reminder, an updated link to your Milestone #2 Progress Report was shared with you on 29 November, 2023, and we are hoping to receive any comments by **February 15, 2024**, before the reports are finalized and shared publicly with the Draft Environmental Assessment Report / Impact Statement.

If you have any questions or would like to schedule a meeting to discuss the reports and timeline, please let me know, or reply to the email you received on 29 November, 2023.

### IK Program

Thank you for providing an update about Fort Albany First Nation's IK collection process. It is great to hear that IK collection will soon be underway, and we look forward to receiving the report in the spring, if all goes according to schedule.

I did want to follow up about the IK Funding Agreement, which is currently with Fort Albany for review. Please let me know if there are any updates, or if you have any concerns or questions about the finalization of this agreement.

### Webinar Series

Finally, I wanted to let you know that we will be hosting the Climate Change Webinar on Thursday, February 8 from 4:00 p.m. to 5:00 p.m. EST.

Please register for the webinar at [this link](#), which can also be found in your invite that was sent on Tuesday, 16th February. Please respond to the original email with any questions you would like answered.

Webinars regarding Engineering and Cumulative Effects will be held in Q1 2024 with interested Indigenous Communities. Dates and a more formal notice will be shared soon.

Thank you,

Jodi Miles

On Behalf of the MFFN CAR Project Team



**Jodi Miles**  
**Dillon Consulting Limited**

[Redacted]

[www.dillon.ca](http://www.dillon.ca)



Miles, Jodi [redacted]

## Milestone #2 Progress Report and ATRI Report reminders

**Nokleby, Andrea** [redacted] Wed, Jan 31, 2024 at 11:12 AM  
 To: Sarah Beamish [redacted]  
 Cc: "Miles, Jodi" [redacted], Chief Elizabeth Kataquapit [redacted], Deputy Chief Terry Meatawabin [redacted],  
 [redacted] > [redacted], Knut Kitching <[redacted]>, Community Core  
 Consultation Coordinator [redacted] Bob Baxter [redacted]

Good Morning Everyone,

Thank you very much for your email. We respectfully acknowledge your request and will amend accordingly.

As noted in the email accompanying the ATRI Preliminary Existing Conditions Report, we were originally asking for communities to provide input on the draft report by January 19, 2024, *where possible*, so it can be woven into the Draft Impact Statement / Environmental Assessment Report (2024). Additional information, feedback, comments and edits can be shared after this date. This Draft Preliminary Existing Conditions Report will not be finalized until later in 2024. Information received after January 19, 2024 will be woven into the next phases of the assessment processes including the Final Environmental Assessment / Impact Statement Report (2025).

Thank you for sharing your schedule with us. We will continue to work with Fort Albany First Nation to update the Draft Report ATRI Preliminary Existing Conditions Report and weave information into the EA/ IS Report as information becomes available this year.

If you have any questions or would like to discuss the Draft ATRI Report or IK Program further we are always available to meet and I would be happy to coordinate a meeting.

Thank you and have a great day,

Andrea



**Andrea Nokleby**  
Partner  
Dillon Consulting Limited



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Miles, Jodi [REDACTED]

## MFFN CAR Milestone #2 and ATRI Report Follow-Up

Miles, Jodi [REDACTED]

Thu, Feb 22, 2024 at 2:12 PM

To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED] >, [REDACTED] Knut Kitching [REDACTED]  
Bcc: "McEwen, Kate" [REDACTED] >, Lucia Jara Moreno [REDACTED], MFFN Community Access Road Project Team [REDACTED]

Good afternoon Sarah,

I hope all is well. I left a voicemail for you earlier today following up on a few items regarding the MFFN CAR Project. I'm sending this email to follow up about the topics discussed in my voicemail.

### Milestone #2 Report

Firstly, I wanted to follow up about Fort Albany First Nation's response to the Milestone #2 Report, which was due February 15, 2023. I understand that there was a death in the community, which may have caused a delay on Fort Albany First Nation's response. I wanted to ask if Fort Albany still intends to provide comments for the Milestone #2 Report, and if so, when we can expect to receive them. If you have any questions or concerns, or if there is anything we can do to help with the review of this report, please do not hesitate to reach out!

### ATRI Existing Conditions Report

Similarly, I wanted to follow up about Fort Albany First Nation's response to the ATRI Existing Conditions Report, which was sent to the community on December 20, 2023. The ATRI Existing Conditions Report describes our current understanding of Fort Albany First Nation's Aboriginal and/or Treaty Rights and Interests, as they relate to the proposed Project.

I wanted to ask if Fort Albany First Nation still intends to provide comments on the ATRI Existing Conditions Report, and if so, when we can expect to receive them. We are hoping to receive input on the draft report as soon as possible, so it can be included into the draft Impact Statement / Environmental Assessment Report.

If you have any questions or would like to schedule a meeting to discuss the reports and/or timelines, please let me know. I will reach out to you next week to discuss the reports as well as provide Project updates.

### Webinar Series

We recently hosted the Climate Change Adaptation and the Community Access Road Webinar on February 8th, 2024. We wanted to send out a link to the webinar recording for those who would like to watch the webinar again, or did not have a chance to participate live. The link can be found on the Marten Falls First Nation Community Access Road website [here](#).

Additionally, we are requesting that communities take 5 minutes to fill out a survey about how Climate Change has / is affecting their community. The link to this survey can be found [REDACTED].

Webinars regarding Engineering and Cumulative Effects will be held in Q1 2024 with interested Indigenous Communities. Dates and a more formal notice will be shared soon.

If you have any questions or concerns about these reports and timelines, please let me know.

Thank you,

Jodi Miles

On Behalf of the MFFN CAR Project Team



**Jodi Miles**  
**Dillon Consulting Limited**

[Redacted]

[www.dillon.ca](http://www.dillon.ca)



Miles, Jodi [REDACTED]

## MFFN CAR Project Updates

Miles, Jodi [REDACTED]

Wed, Mar 20, 2024 at 7:12 PM

To: Sarah Beamish [REDACTED]

Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED],

[REDACTED], Knut Kitching [REDACTED], Jacqueline Sutherland [REDACTED]

Bcc: MFFN Community Access Road Project Team [REDACTED], Lucia Jara Moreno

[REDACTED], "McEwen, Kate" [REDACTED] &gt;

Good evening Sarah,

I hope all is well. I left a message for you earlier today regarding some updates about the MFFN CAR Project, so I am sending this email as a follow up.

### Milestone 2 Report

Firstly, I wanted to follow up about Fort Albany First Nation's review of the Milestone #2 Progress report. It had been previously discussed that Fort Albany intended to provide comments on this report, which were originally due February 15, 2024. I wanted to let you know that if we do not receive feedback by March 30, 2024, these sections of the report will be finalized. Please let me know if Fort Albany First Nation intends to provide comments prior to this date.

**IK Collection and IK Funding Agreement** I also wanted to touch base about Fort Albany First Nation's IK collection process. Last time we spoke, you mentioned that there were plans to begin IK collection in early February, with a report anticipated to be available by late spring/early summer. I wanted to check in to see if this timeline is still accurate, or if it has been delayed. Additionally, I wanted to follow up to see if you have any updates about the IK Funding Agreement, which has been with Fort Albany First Nation for review since March 2023. Please let me know if there has been any progress with this review.

### Climate Change Survey

Following the Climate Change Adaptation Webinar, we released a survey on climate change. Fort Albany First Nation's feedback, experience and insights are important to us. We are asking communities to take 5 minutes to fill out the survey linked below and share how Climate Change has / is affecting you and your Community: [Marten Falls First Nation Community Access Road: Climate Change \(office.com\)](#)

### Updated Route Selection Video

As the Marten Falls Community Access Road progresses, we continue to use community feedback to revise the route for the road. An updated technically preferred route recommendation\* has been identified. Please take a moment to watch our new video below.

[Marten Falls First Nation: Community Access Road Update](#)

*\*The technically preferred route recommendation is preliminary. The route will be further informed through consideration of Indigenous Knowledge.*

### New Social Media Platforms

We are now on [LinkedIn](#) and [Instagram](#)! Follow us to stay up to date on the Community Access Road. If you have any questions about the topics discussed in this email, please don't hesitate to reach out!

Thank you,

Jodi Miles,

On Behalf of the MFFN CAR Project Team



Jodi Miles  
Dillon Consulting Limited

[www.dillon.ca](http://www.dillon.ca)



Miles, Jodi [REDACTED]

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## MFFN CAR Project Updates

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Miles, Jodi [REDACTED]

Tue, Mar 26, 2024 at 1:56 PM

To: Sarah Beamish [REDACTED]

Bcc: Lucia Jara Moreno [REDACTED] MFFN Community Access Road Project Team

Good afternoon Sarah,

Thanks for letting me know! I look forward to your response.

Jodi

[Quoted text hidden]

Miles, Jodi

Mon, Apr 1, 2024 at 8:36 AM

To: Sarah Beamish, Knut Kitching  
Cc: Chief Elizabeth Kataquapit, Deputy Chief Terry Meatawabin  
, Cathleen Sutherland  
, Andrea Nokleby  
Community Core Consultation Coordinator  
Bcc: Lucia Jara Moreno, MFFN Community Access Road Project Team

Good morning Sarah and Knut,

Thank you for these updates. I will let our team know that Fort Albany First Nation does not have any feedback for the Milestone #2 Progress Report, and we will keep an eye out for their response to the ATRI Report.

I also wanted to thank you for providing an updated timeline for the IK Report. It is great to hear that IK collection is underway and on track for a late spring/early summer report! Please don't hesitate to reach out if there is anything we can provide to support this process.

And finally, thank you for providing Fort Albany's updated draft of the IK Funding Agreement. I have CC'd Andrea Nokleby, who will review the revisions and get back to you as soon as possible.

As always, if you would like me to coordinate a meeting to discuss any of the topics raised in this email, I would be happy to do so.

Have a great week,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



Miles, Jodi [redacted]

## MFFN CAR Contact Information Inquiry

Miles, Jodi [redacted] Tue, Apr 9, 2024 at 9:32 AM  
 To: Sarah Beamish [redacted]  
 Cc: Chief Elizabeth Kataquapit [redacted], Deputy Chief Terry Meatawabin [redacted],  
 [redacted] Knut Kitching [redacted]  
 Bcc: Lucia Jara Moreno [redacted], MFFN Community Access Road Project Team [redacted]

Good morning Sarah,

I had a quick question about Fort Albany's contacts, that I was hoping you could help me with.

Would you be able to confirm the title of Cathleen Sutherland, who was CCed in one of your emails recently? Should she be considered a key contact for Fort Albany (and therefore CC'd on all of our communications)?

Additionally, I was wondering if Jacqueline Sutherland is still in the role of CEO of Fort Albany, and if she should still be CC'd on emails.

Let me know,

Jodi Miles

--



Jodi Miles  
 Dillon Consulting Limited  
 [redacted]  
[www.dillon.ca](http://www.dillon.ca)  
  



Miles, Jodi [REDACTED]

---

## MFFN CAR Contact Information Inquiry

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Miles, Jodi [REDACTED] Tue, Apr 9, 2024 at 12:04 PM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED]  
[REDACTED], Knut Kitching [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED], MFFN Community Access Road Project Team  
[REDACTED]

Good afternoon Sarah,

Thank you for your prompt response! I will make these updates to our contact list.

Jodi Miles

Miles, Jodi [REDACTED]

Thu, Apr 25, 2024 at 4:51 PM

To: Sarah Beamish <[REDACTED]>

Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED] Cathleen Sutherland [REDACTED], Knut Kitching [REDACTED], Justin Page [REDACTED]

Bcc: Lucia Jara Moreno [REDACTED], MFFN Community Access Road Project Team <[REDACTED]>

Good afternoon Sarah,

I am sending this email to follow up about the voicemail I left you earlier today.

Firstly, I wanted to send my well wishes to Fort Albany First Nation, as I know it is flood season and that community members may be preparing to evacuate, if they haven't begun to already. I understand that progress with MFFN CAR-related actions may be delayed during this time, but I did want to provide a brief update about the project.

I wanted to follow up about Fort Albany First Nation's response to the ATRI Existing Conditions report. You noted in your email on March 28th, 2024, that Fort Albany still intends to submit a response to this report, and noted that it would likely be ready to submit by the following week. I just wanted to check in to see if any progress has been made regarding the submission of this response.

Next, I wanted to let you know that we are still in the process of reviewing Fort Albany's revisions to the IK Funding agreement, but we hope to return that to you as soon as possible.

Next, I wanted to follow up about our Climate Change Adaptation survey, which you noted was passed along to a Fort Albany First Nation staff member when we discussed it last month. I just wanted to let you know that the survey is currently still open, and can be filled out [REDACTED].

Finally, I wanted to remind Fort Albany First Nation that funding for our Community Coordinator Program is still available. Please let me know if Fort Albany First Nation has decided to sign up for this program, or if you have any questions about how the program works.

As always, I would be happy to coordinate a meeting with the MFFN CAR Project Team if you would like to discuss the MFFN CAR Project further.

Thank you,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



Jodi Miles  
Dillon Consulting Limited



[www.dillon.ca](http://www.dillon.ca)





Miles, Jodi [REDACTED]

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## MFFN CAR Project Updates

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Miles, Jodi [REDACTED] Thu, May 2, 2024 at 5:18 PM  
To: Sarah Beamish [REDACTED], Knut Kitching [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED],  
[REDACTED] Cathleen Sutherland [REDACTED] Community Core Consultation Coordinator  
>, Andrea Nokleby [REDACTED], Qasim Saddique [REDACTED] >, Lawrence Baxter  
[REDACTED] Bob Baxter [REDACTED], Jennifer Bruin [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED]

Good afternoon Sarah,

I hope all is well. I am sending this email to let you know that the Project Team is in agreement with Chief Kataquapit's revisions to the IK Funding Agreement. We have also added delivery dates of the reports, based on the timeline provided by Knut. We are, however, still missing contact information for Fort Albany First Nation in the agreement.

I am attaching a version of the IK Funding Agreement with track changes, as well as a clean copy with the contact information section highlighted. Should Fort Albany First Nation agree with the delivery dates added to the agreement, contact information and signatures can be added to the clean copy of the document and returned. Upon receipt we will sign and return to you a fully executed copy of the agreement.

Please let us know if you have any questions or concerns about the IK Funding Agreement, or if you would like me to coordinate a meeting to discuss further.

Thank you,

Jodi Miles,  
On Behalf of the MFFN CAR Project Team

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### 2 attachments

 **2024-05-02-REVISED-Indigenous Knowledge Program Funding Agreement\_FAFN.edits - MFFN edits.docx**  
43K

 **2024-05-02-REVISED-Indigenous Knowledge Program Funding Agreement\_FAFN.edits - CLEAN COPY.docx**  
38K



Miles, Jodi [redacted]

### MFFN CAR Reminder: Three-Road Forum

**Miles, Jodi** [redacted] Wed, Jun 5, 2024 at 4:19 PM  
 To: Sarah Beamish [redacted]  
 Cc: Chief Elizabeth Kataquapit [redacted], Deputy Chief Terry Meatawabin [redacted], Knut Kitching [redacted], Cathleen Sutherland [redacted] Community Core Consultation Coordinator [redacted]  
 Bcc: MFFN Community Access Road Project Team <[redacted]>, Lucia Jara Moreno [redacted]

Good afternoon Sarah,

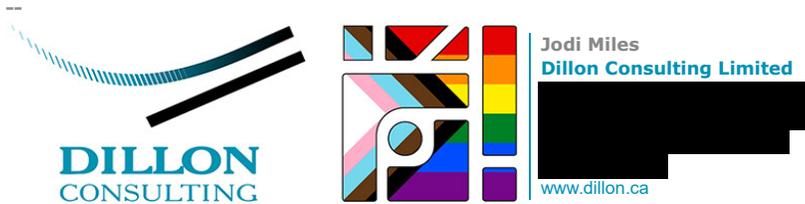
I left you a voicemail earlier today regarding the upcoming Three-Road Forum, and I am sending this email to follow up.

The Three-Road Forum is being held on June 11, 12, & 13, 2024 in Thunder Bay, and will provide a space to discuss the three road projects and their potential impacts. The Province is offering funding for up to 3 representatives from Fort Albany First Nation to attend, including travel, accommodation, and meals. The original invitation for this gathering was sent out on May 23rd, 2024 by the Province, and is attached to this email for your convenience.

I wanted to confirm whether representatives from Fort Albany First Nation will be attending this forum? Let me know!

Thank you,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



*Inclusiveness: Enabling belonging to draw strength from our differences.*

 **2024-05-29 Three Road Projects Gathering & Expo\_Invitation & Agenda\_2024-05-29.pdf**  
555K

# THREE ROAD PROJECTS GATHERING & EXPO

WEBEQUIE SUPPLY ROAD (WSR) • MARTEN FALLS COMMUNITY ACCESS ROAD (MFCAR) • NORTHERN ROAD LINK (NRL)

# YOU ARE INVITED!

THREE ROAD PROJECTS GATHERING & EXPO  
Led by Webequie First Nation and Marten Falls First Nation  
Funded by the Province of Ontario, our Treaty Partner



**Superior Inn Hotel and  
Conference Centre**

555 Arthur St W

**June 11, 12, & 13, 2024**



Continuing to build on the momentum of the last two gatherings which focused on Aboriginal and/or Treaty Rights and Interests, Marten Falls First Nation and Webequie First Nation are excited to host the **Three Road Projects Gathering & Expo**. The Gathering & Expo will provide participants with an engaging and interactive space for consultation to learn more about the projects, ask questions, and share feedback focusing on water, peatlands and building roads on peatlands. We will also engage with you on a common approach to reviewing the draft of the Environmental Assessment Report/Impact Statement (EAR/IS) for the WSR and the MFCAR Projects. In response to feedback received at previous events, a day has been set aside specifically for Elders to engage with the Project Teams and share perspectives on the projects.

**Day 1: Elder's Gathering**  
**Day 2: Three Road Project  
Presentations & Expo**  
**Day 3: Common Approach  
to Review Draft of EAR/IS  
Workshop**



## PARTICIPANT FUNDING

The Province of Ontario will fund up to 3 representatives from your community to attend, including travel, accommodation, and meals. All questions about funding or the coordination of funding should be directed to the Province of Ontario at [ea.participant.fund@ontario.ca](mailto:ea.participant.fund@ontario.ca).

Additional community representatives are welcome to attend.



## PURPOSE

The purpose of this Gathering is to create a respectful, and collaborative space for consultation to continue to build an understanding of the three road projects and their potential impacts by:

- Providing a comfortable space for Elders to gather and discuss the Projects,
- Creating opportunities to engage directly with the Project proponents and consulting teams sharing information about the Projects, and
- Discussing the upcoming draft EAR/IS Review Process for WSR and MFCAR.



## WHO SHOULD ATTEND FROM YOUR COMMUNITY

Representatives who are knowledgeable and comfortable speaking and sharing information about the road projects and the potential impacts on your community are encouraged to attend. Elders are especially encouraged to attend the Elder's Gathering.

**RSVP to [ea.participant.fund@ontario.ca](mailto:ea.participant.fund@ontario.ca) by May 29, 2024 to reserve your room at the Superior Inn Hotel and and Conference Centre. (Later RSVP for Gathering attendance is OK!)**



MARTEN FALLS FIRST NATION  
**COMMUNITY ACCESS ROAD**



Ontario

# THREE ROAD PROJECTS GATHERING & EXPO

WEBEQUIE SUPPLY ROAD (WSR) • MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD (MFCAR) • NORTHERN ROAD LINK (NRL)

June 11, 12 & 13, 2024

## PRELIMINARY AGENDA

### Tuesday June 11, 2024 - Elders Gathering

TIME	TOPIC
7:00	Sunrise Ceremony
8:00	<b>Breakfast</b>
8:30	Welcome, Opening Ceremony, Overview of the Gathering & Expo
9:30	Introduction to the Three Road Projects followed by Q&A
11:00	Elder-Led Discussions 1
12:00	<b>Lunch</b>
1:00	Elder-Led Discussions 2 & 3
4:00	Day Wrap Up

### Wednesday June 12, 2024 - Three Road Project Presentations & Expo

TIME	TOPIC
8:00	<b>Breakfast</b>
9:00	Morning Greetings & Welcome Ceremony
9:30	Presentations: Peatlands, Building Roads on Peatlands and Water/Fish followed by Q&A and Morning Wrap Up
12:00	<b>Lunch</b>
1:00	Welcome Back and Overview of Expo
1:30	Expo
4:30	Day Wrap Up

### Thursday June 13, 2024 - Common Approach to Review Early Draft of EAR/IS Workshop

TIME	TOPIC
8:00	<b>Breakfast</b>
8:30	Morning Greetings & Welcome Ceremony
9:00	Overview of Common Approach to Reviewing Draft EAR/IS
9:30	Presentations by Each Road Project on Draft EAR/IS
11:00	Ontario: Participant Funding Initiative
11:30	Q&A on Common Approach to Reviewing Draft EAR/IS
12:15	Closing Comments and Gathering Closing



Miles, Jodi [REDACTED]

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## MFFN CAR Reminder: Three-Road Forum

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**Miles, Jodi** [REDACTED] Thu, Jun 6, 2024 at 3:37 PM  
To: Community Core Consultation Coordinator [REDACTED]  
Cc: Andrea Nokleby [REDACTED] Sarah Beamish [REDACTED]  
[REDACTED] "MacInnis, Paul (MINES)" <[REDACTED]>  
Bcc: Lucia Jara Moreno [REDACTED] MFFN Community Access Road Project Team  
[REDACTED]

Good afternoon Leo,

So glad to hear that you (and hopefully Sarah) will be joining! I have CC'd our contacts from the Province, who are responsible for logistics related to accommodations. They should be able to answer your questions for you.

Thanks,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



Miles, Jodi [REDACTED]

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## MFFN CAR - June Updates

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Miles, Jodi [REDACTED] Thu, Jun 27, 2024 at 3:14 PM  
To: Sarah Beamish [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Knut Kitching [REDACTED], Community Core Consultation Coordinator [REDACTED], Andrea Nokleby [REDACTED], Cathleen Sutherland [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED], MFFN Community Access Road Project Team [REDACTED]

Good afternoon Sarah,

Thank you for taking the time to have a quick chat with me today. I am sending this email to follow up, and to provide some details about the topics we didn't have time to discuss. We have a call scheduled for **Thursday, July 4th at 4pm**, so we can discuss these topics in more detail then.

### Three Road Project Gathering & Expo

I wanted to thank Leo for attending the Three Road Project Gathering & Expo from June 11 – 13, 2024. If Fort Albany First Nation has any questions or feedback, please contact the MFFN CAR Project Team at [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca).

### Stage 1 Archaeological Assessment Report

The Stage 1 Archaeology Assessment Report was sent out to communities on June 3, 2024. The Stage 1 Archaeological Assessment Report documents the archaeological and land use history, to determine whether there is potential for archaeological sites in the additional areas required for aggregate impacts. It incorporates a review of recent mapping, previous archaeological reports, and incorporation of any information collected from Indigenous communities.

The reports are available for download here: [REDACTED]

Feedback and comments on the report is requested by August 2, 2024.

To support your review we encourage setting up a meeting with our team to help walk you through the reports, answer any questions you may have or as an opportunity to provide feedback.

### IK Funding Agreement and IK Report

I wanted to follow up to see if you have had the chance to review the most recent draft of the IK Funding Agreement, sent May 2, 2024. For easy reference, I am reattaching both versions of this agreement (with track changes and without) to this email. Please let us know if Fort Albany First Nation has any additional revisions that need to be made, or if we can move forward with finalizing the agreement.

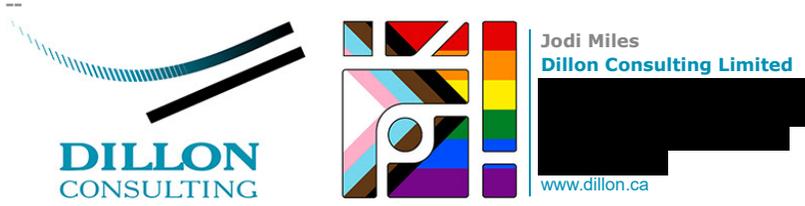
On a similar note, I was wondering if you or Knut might be able to provide an update regarding the progress of Fort Albany First Nation's IK report. Can we still anticipate receiving a draft of this report in the next few months? Let us know!

### Community Coordinator Program

I would also like to let Fort Albany First Nation know that funding for our Community Coordinator Program. See the job posting attached for additional information about the program.

Enjoy your long weekend!

Jodi Miles,  
On Behalf of the MFFN CAR Project Team



*Inclusiveness: Enabling belonging to draw strength from our differences.*

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**3 attachments**

-  **2024-05-02-REVISED-Indigenous Knowledge Program Funding Agreement\_FAFN.edits - CLEAN COPY.docx**  
38K
-  **2024-05-02-REVISED-Indigenous Knowledge Program Funding Agreement\_FAFN.edits - MFFN edits (1).docx**  
43K
-  **2022-10-24-MFFN Community Coordinator Job Posting.pdf**  
229K



## MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

# WE'RE HIRING!

Marten Falls First Nation (MFFN) is undertaking a federal Impact Assessment (IA) and provincial environmental assessment (EA) for an all-season access road to our community. To support these studies, we are looking to hire **Community Coordinators**.

**Are you a highly motivated person? Do you have strong organizational and relationship building skills? Would you like to work with a great project team and build experience in environmental management?**

### If so, this could be the role for you!

The Community Coordinator will be a primary point of contact between your community and the MFFN Project Team. We will work closely with you as you help to involve your community in the environmental assessment processes.

#### Responsibilities

- Coordinate between the MFFN Project Team and community members living in / outside of your community as per your local practices and in collaboration with Chief and Council;
- Provide advice and guidance on appropriate ways to engage your community—in-person (when appropriate to do so), and virtually during COVID-19;
- Keep informed on Community Access Road Project activities (e.g., timelines, documents, events) and communicate relevant Project information to community members;
- Participate in meetings with the Project Team and other Community Coordinators;
- Provide support for community engagement activities related to the Project including:
  - Coordinate and organize logistics for meetings, workshops, events and / or school visits (e.g., book meeting spaces, order refreshments, help with truck / boat rentals and accommodations);
  - Help identify meeting participants and information providers (e.g., youth and / or elders);
  - Assist with meeting facilitation, note taking and meeting minute preparation, and coordinate translation services, if needed; and
  - Organize distributing Project advertisements and notices in your community; either online (e.g., Facebook or posting in community);
- Assist in collecting data / information in your community (e.g., Indigenous Knowledge, community information and socio-economic information);
- Assist in reviewing draft documents, questionnaires or Project updates / information sheets.

**This position will receive \$25 per hour and is expected to be approximately 16 hours per week for up to 3 years. If you would like to learn more, contact: Jennifer Bruin or James Meyer at [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca) or 1-800-764-9114.**



Miles, Jodi [REDACTED]

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## MFFN CAR - June Updates

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**Miles, Jodi** [REDACTED] Thu, Jun 27, 2024 at 3:23 PM  
To: Knut Kitching [REDACTED]  
Cc: Sarah Beamish [REDACTED], Chief Elizabeth Kataquapit [REDACTED], Deputy Chief  
Terry Meatawabin [REDACTED], Community Core Consultation Coordinator  
[REDACTED], Andrea Nokleby [REDACTED], Cathleen Sutherland [REDACTED]  
Bcc: Lucia Jara Moreno [REDACTED], MFFN Community Access Road Project Team  
[REDACTED]

Hello Knut,

This is great news! Thank you for the update!

Jodi



Miles, Jodi [redacted]

## Meeting this afternoon re Fort Albany First Nation and MFCAR

Miles, Jodi [redacted]  
To: Sarah Beamish [redacted]

Thu, Jul 4, 2024 at 2:24 PM

Hi Sarah,

No problem! I'm available before 1pm EST, and between 2pm and 3:30pm EST. Would any of those times work for you? If not, I am happy to chat next week instead.

Jodi

[Quoted text hidden]

--



Jodi Miles  
Dillon Consulting Limited  
[redacted]  
[www.dillon.ca](http://www.dillon.ca)



Miles, Jodi [REDACTED]

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## Meeting this afternoon re Fort Albany First Nation and MFCAR

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**Miles, Jodi** [REDACTED]  
To: Sarah Beamish [REDACTED]

Thu, Jul 4, 2024 at 2:36 PM

Hi Sarah,

Okay perfect, I'll give you a call tomorrow at 3pm.

Jodi  
[Quoted text hidden]



Miles, Jodi [REDACTED]

---

## Revised Fort Albany First Nation IK funding agreement for approval

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**Miles, Jodi** [REDACTED] Fri, Jul 5, 2024 at 3:34 PM  
To: Sarah Beamish [REDACTED]  
Cc: Andrea Nokleby [REDACTED], Qasim Saddique <[REDACTED]>, Jennifer Bruin [REDACTED]  
[REDACTED], Bob Baxter [REDACTED] Lawrence Baxter [REDACTED]

Good afternoon Sarah,

Thank you for sending this along! I am looping in Andrea Nokleby, who will review these proposed revisions. We will let you know if we have any changes we would like to make, and if not, we will return the agreement with signatures.

Thanks,

Jodi

[Quoted text hidden]

[Quoted text hidden]



Miles, Jodi [redacted]

## Revised Fort Albany First Nation IK funding agreement for approval

Miles, Jodi [redacted] Thu, Jul 11, 2024 at 10:10 AM  
 To: Sarah Beamish [redacted]  
 Cc: Andrea Nokleby [redacted], Qasim Saddique [redacted], Bob Baxter [redacted], Jennifer Bruin [redacted], Lawrence Baxter [redacted], Ingrid Trimble [redacted], Valdine Walker [redacted]

Good morning Sarah,

The MFFN CAR Project Team has reviewed and approved the changes you made to the IK Funding Agreement. See attached for a signed copy of the IK Funding Agreement, as well as a copy of our IK Guidance Document.

Once you return a copy of the agreement with signatures from Fort Albany, we can coordinate the first payment. I have CC'd Valdine Walker, who will be helping coordinate this.

Please let me know if you have any questions, or if there is anything else you need from us.

Thank you,

Jodi Miles  
On Behalf of the MFFN CAR Project Team

[Quoted text hidden]

[Quoted text hidden]

### 2 attachments

 **2024-07-10-Indigenous Knowledge Program Funding Agreement - Dillon Signed-QS Signed.pdf**  
241K

 **MFFN CAR Project - IK Program Guidance Document (compiled) - Final Nov 2020\_Revised page numbers.pdf**  
7907K



# **MFFN Community Access Road Project Indigenous Knowledge Program Guidance Document**



**1-800-764-9114**  
info@martenfallsaccessroad.ca  
martenfallsaccessroad.ca



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# 1. Introduction

Marten Falls First Nation (MFFN) thanks you for your interest in participating in the Indigenous Knowledge Program (IK Program) for the MFFN Community Access Road Project (the Project). We appreciate the level of trust and the foundation of respect required for the collection and/or sharing of IK with the MFFN Project Team.

**The purpose of this Guidance Document is to provide your community with:**

-  A brief **overview of the proposed Project**;
-  An **overview of the IK Program to support discussions** of how Indigenous knowledge (IK) and information on how Indigenous land and resource use can be collected and become part of the Project assessment, planning and design processes; and
-  **Information and resources** to support your community in meaningfully participating in the IK Program.

Key terms used in this document (in **blue text**) are defined throughout. These are also provided in the glossary in **Appendix A**.

**Please note:** in addition to the IK Program, the **Consultation** Program for the Project serves as an additional and important avenue for collecting information, concerns, perspectives, and other information relevant to the Project from Indigenous communities.

The Crown is responsible for the constitutional Duty to Consult for the assessment processes for the Project. MFFN is responsible for carrying out Statutory Consultation processes in fulfilling the Duty. The IK Program and Consultation Program strive to both engage and consult with communities to build relationships and provide inputs into the overall consultation requirements for the Project.





## 2. Overview of the Project

MFFN is a remote First Nation community in northern Ontario located at the junction of the Albany and Ogoki rivers, approximately 430 km northeast of Thunder Bay. The MFFN community is currently only accessible by air and a winter road. Given the unreliability of the winter road, MFFN is proposing an all-season community access road (the Project) to connect MFFN to Ontario's provincial highway network (i.e., Highway 643) to the south via the existing Painter Lake Road.

As the proponent for the Project, MFFN has started a Provincial Environmental Assessment and Federal Impact Assessment (**the assessment processes**) to assess the potential Project effects and benefits. The assessment processes will inform Project planning and design.

***Please note that the assessment processes are for the MFFN all-season community access road Project only. The Northern Road Link is a separate project that will undergo a separate assessment process, with MFFN and Webequie First Nation as a joint-proponent. Consultation and engagement for the Northern Road Link will be addressed through a separate process.***

## 3. Overview of the IK Program

The IK Program aims to collect **Indigenous Knowledge** (IK) relevant to the Project and information on **Indigenous land and resource use** and values (including cultural) in the vicinity of the Project area.

### Indigenous Knowledge

refers to Indigenous systems of knowledge as well as cultural practices related to the production of knowledge based on traditional belief systems, relationships to the environment, and community practices. It is the accumulated and living knowledge built upon the historic experiences of Peoples living on the land and adapting to social, economic, environmental, spiritual and political change (Chiefs of Ontario, n.d.). It includes knowledge about the natural environment (e.g., locations of caribou seasonal use and calving areas), the relationships between environmental changes and species or ecosystems, and how potential effects to the environment can be avoided or reduced.

### Indigenous Land and Resource Use

refers to specific areas and resources used for traditional purposes when Indigenous peoples learn and practice their IK (Garvin et al., 2001). This includes the areas and sites used for hunting, trapping, fishing, and gathering and the resources harvested, as well as cultural sites, features and practices. Sometimes referred to as Traditional Land Use.





The primary objectives of the IK Program are to:

- Identify areas where important Indigenous land uses, resources, and/or values could be impacted by the Project;
- Understand community concerns about the potential negative impacts of the Project; and
- Work to avoid or mitigate potential Project impacts on these land uses, resources and/or values and maximize any potential positive effects.

The IK Program strives to work with **interested Indigenous communities** on how relevant IK and Indigenous land and resource use information will become part of the assessment processes and Project planning and design. We understand there are larger regional issues and those will be documented and incorporated into the assessments, as applicable.

### The IK Program involves two key ways for information gathering and sharing:



**Sharing existing and relevant IK and Indigenous land and resource use information** previously collected by communities (e.g., for community-based land use planning) with the MFFN Project Team; and



**Completing Project-specific IK and Indigenous land and resource use studies** to collect relevant IK and information on Indigenous land and resource use in the vicinity of the Project.

**Please note:** This IK Program Guidance Document also helps to meet the information requirements set out in the Tailored Impact Statement Guidelines issued for the Project by the Impact Assessment Agency of Canada. In addition, information collected through both the IK and Consultation Programs will provide valuable inputs into the **Aboriginal and Treaty Rights and Interests** valued component, which tentatively includes:

- Indigenous Current Use of Land and Resources for Traditional Purposes (hunting, trapping, fishing, gathering, cultural and spiritual sites, quantity and quality of resources, etc.) – see [Section 6.5](#) for definition of ‘current’; and
- Cultural Continuity or the ability to practice and transmit cultural traditions (experience of being on the land, ability to access preferred sites and resources, etc.).





### 3.1 Sharing Existing Information

Some communities may already have relevant IK and information on Indigenous land and resource use and other values from community-based land use planning processes or other activities. We respectfully request that any existing information you wish to share be provided to the MFFN Project Team as soon as possible so that it can be incorporated into the assessment processes. The earlier we receive information (even in draft form), the sooner we can include it in the assessment and Project planning processes.

Further, if you are aware of areas where values could potentially be impacted within the Local Study Area but are unable to share specific details, it is valuable to share whatever information you can early on so that we can work with you as we continue through the assessment processes.

### 3.2 Indigenous Knowledge & Indigenous Land and Resource Use Study

For communities that are interested in completing a **Project-specific Indigenous Knowledge and Indigenous land and resource use (IK/ILRU) study**, we understand that some communities may prefer to complete a study on their own or using their own consultants. Other communities may require support with completing a study. We are available to support communities in completing an IK/ILRU study (e.g., preparing materials and maps, digitizing information collected, etc.), if and as needed.

Communities using their own consultants should make an effort to follow the IK Guidance Document to support the collection of information to meet the requirements set out in the Tailored Impact Statement Guidelines issued for the Project by the Impact Assessment Agency of Canada.



### 3.3 Confidentiality

Given the sensitive nature of IK and information on Indigenous land and resource use, the protection and confidentiality of shared information is of great importance to the MFFN Project Team. To honour and respect this important information, an IK Sharing Agreement must be executed between your community and MFFN prior to sharing any information and before beginning a Project-specific IK/ILRU study. The IK Sharing Agreement will be developed with each community. The agreement will outline how confidential/sensitive information will become part of the assessment processes and protected.





### 3.4 Indigenous Knowledge Program Guiding Principles

Our approach to working with your community on the IK Program is guided by these key principles:



We will **work proactively to build relationships** that are based on trust, transparency, understanding, cooperation, and mutual respect.



The protection and incorporation of IK and Indigenous land and resource use information will be governed by **IK Sharing Agreements**.



**Community-specific protocols, traditional channels of authority, and levels of approval** within each participating Indigenous community will be followed and respected.



**The people of your community are an important source of knowledge** of the environment, past and present uses of the land and its resources, and associated cultural practices and values that may be relevant to the Project and our local and regional study areas.



Our aim is to work with you to participate in and complete the IK Program in a manner that **respects your IK collection and sharing protocols** so that IK can be meaningfully integrated into and become part of the assessment processes.



We will strive to **respectfully work with Indigenous Communities** in terms of how IK and information on Indigenous land and resource use within the local and regional study areas will become part of the Project assessment, planning and design processes.





## 4. Indigenous Knowledge and the Assessment Processes

The information collected through the IK Program (and/or through the Consultation Program for the Project) will be used to:

- Guide and confirm the indicators to be used in the assessment processes for the various **valued components** (e.g., wildlife, vegetation, fish, caribou, moose, Indigenous land and resource use, etc.);
- Support the description of existing environmental conditions (**baseline conditions**) for the various valued components;
- Identify the potential effects of the Project on the various valued components;
- Help identify potential measures to reduce the potential for negative effects (impact management measures) and enhance the potential benefits; and
- Help identify potential monitoring programs.

### Valued components

are important components of the natural and human environment that could be impacted by a proposed project or activity.



The MFFN Project Team will work with Indigenous communities to ensure that IK and any information on Indigenous land and resource use and other values that is shared is appropriately integrated into the assessment processes. This will include providing Indigenous communities with the opportunity to:

- Review and discuss draft assessment documents produced by the MFFN Project Team to confirm that we captured and presented your community's information appropriately; and
- Work with the MFFN Project Team on the effects assessment for the Aboriginal and Treaty Rights and Interests and associated components (Indigenous land and resource use, and cultural continuity).

Should your community prefer to do your own effects assessment, we will accept this and work with you to incorporate your effects assessment into the assessment processes.

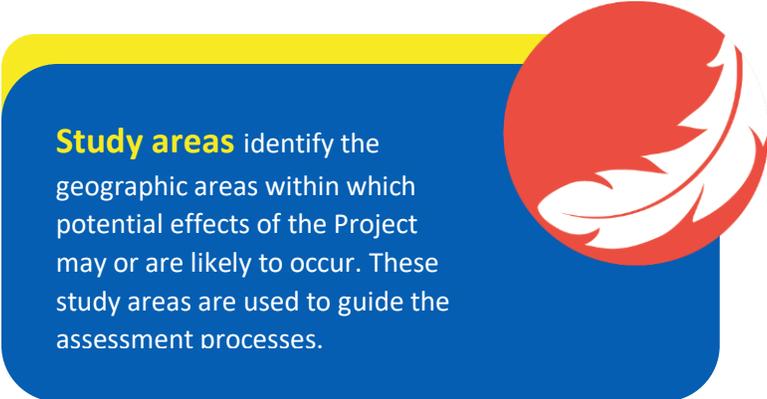




## 5. Study Areas for the Assessment

The existing conditions and potential Project effects will be documented for three **study areas** to capture potential local, direct and indirect effects:

- **Project Study Area:** area of direct disturbance (the physical area required for Project construction and operation);
- **Local Study Area:** the area where the potential direct effects of the Project (e.g., direct effects on wildlife, vegetation and surface water associated with noise and vehicle emissions) 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 as a result of changes in wildlife and fish and their habitats) may occur.



**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 assessment processes.

A Study Area Memo was previously provided to your community that contains information on some of the study areas selected for the Project (e.g., wildlife, vegetation, etc.) that are related to Indigenous land and resource use – this memo is provided in **Appendix B**.

### 5.1. Study Areas for Aboriginal and Treaty Rights and Interests

Study areas have been identified for the Aboriginal and Treaty Rights and Interests valued component – these are shown in **Appendix B** and described in Table 1 on the following page. These study areas should inform any IK and Indigenous Land and Resource Use Studies undertaken in terms of the geographic extents used to collect information during these studies.

**Please note:** The Regional Study Area was revised in October 2020 to include several additional watersheds (e.g., at the southern terminus of the proposed Project and Painter Lake Road) that the Project may interact with based on comments received from communities to date. Figure 1 in Appendix B has been updated from what was sent to communities in August 2020 to reflect the revised Regional Study Area.





**Table 1. Proposed Study Areas for the Aboriginal and Treaty Rights and Interests Valued Component**

Study Area	Geographic Extent	Rationale
<b>Local Study Area</b>	5 km of the centreline of the Route Alternatives and 5 km buffer around other project components (e.g., aggregate sources) and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).	The Local Study Area allows the Project Team to gather specific information that can be used to help Project design by avoiding or mitigating impacts to sensitive features. It also corresponds to the outermost boundaries of the combined Local Study Areas for the fish and fish habitat, surface water, vegetation, general wildlife, moose, and air quality valued components. It has been defined based on the key components that may be relied on (water, fish, vegetation, wildlife, moose) or considered to influence (air quality, noise) Indigenous culture and/or land and resource use.
<b>Regional Study Area</b>	Combined area of the quaternary watersheds crossed by each of the road alignments.	The Regional Study Area allows the Project Team to gather information at a larger scale to better understand potential indirect effects on the valued components specific to Indigenous people. It 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 given that these components may be relied on by Indigenous peoples for cultural and land and resource purposes.

***A few important notes and considerations:***

- These study areas are for the IK Program and Aboriginal and Treaty Rights and Interests valued component and do not represent the study areas for other baseline programs (wildlife, vegetation, etc.) being conducted as part of the assessment processes.
- The proposed road alignments may change slightly from what is shown in Figure 1 based on feedback and information from Indigenous communities and our understanding of the existing environmental conditions.
- While these study areas are intended to guide data collection in terms of IK and Indigenous land and resource use in the vicinity of the Project, collecting community information and perspectives that are more general (e.g., habitat values important for caribou) is also an important part of the Consultation and IK Programs.





## 6. Guidance Materials for Project-Specific Studies

The following sections provide some important considerations and guidance materials for any IK and Indigenous Land and Resource Use (IK/ILRU) Studies that are undertaken by communities for the Project. These materials are intended to guide and support communities in collecting and sharing relevant IK and information on Indigenous land and resource use and associated values so that it can become part of the assessment processes.

**Please note:** These materials, including the questions contained in the appendices, were developed based on the information that has been requested by regulators (including through the federal Tailored Impact Statement Guidelines) for inclusion in the assessment processes.

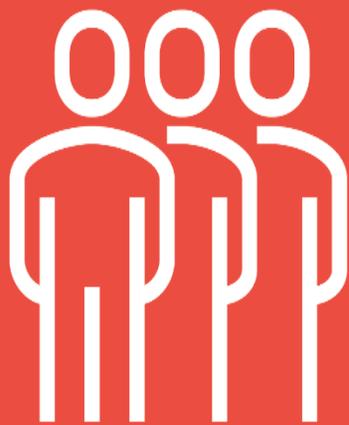
### 6.1. General Study Approach

While IK/ILRU studies can be customized to suit the needs and values of each community, they generally follow the following steps:



#### 1. Review existing information

Many communities have already started collecting IK and information on Indigenous land and resource use for other projects or their own purposes. There also may be relevant information available in historical documents (e.g., ethnographic reports) to provide historical and cultural context (see **Section 6.3** for some questions to guide review). It is a good idea to start by examining what has already been collected to see what information is relevant to the Study Areas (see **Section 5.1**), and identify where there are important information gaps to guide information collection efforts.



#### 2. Select study participants

It is important to select a range of participants to satisfy federal **Gender-based Analysis Plus (GBA+)** requirements which are meant to identify segments of the population that could be especially affected by the Project (e.g., women, youth, Elders, etc.). Any IK/ILRU studies completed should include a range of participants (e.g., men, women, Elders, Knowledge Holders, middle-aged members, youth) to support the inclusion of different perspectives. While Elders are recognized as the most knowledgeable and can offer information about past uses of lands and resources, they may not be using the land and resources in the same way today, and there may be other people in the community who are using the land and resources in the study areas for traditional purposes (e.g., hunting, trapping, fishing, etc.) and have relevant knowledge. The review of existing information (Step 1) can also help to select participants and fill gaps in age or gender categories.





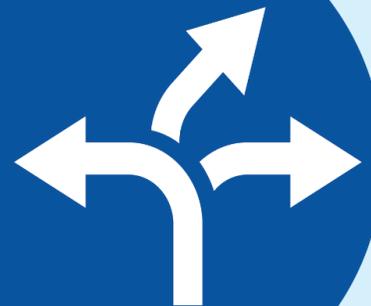
### 3. Prepare for information collection

It is important to prepare the materials needed for information collection including consent forms for participants (see [Section 6.2](#)), base maps for the Study Areas to be used for mapping sessions (see [Section 6.4](#)), defining the time periods that will be used for baseline information collection (see [Section 6.5](#)), identifying categories to organize information collection (see [Section 6.6](#)), and a set of questions to guide information collection sessions (see [Section 6.3](#), [Section 6.7](#) and [Section 6.8](#)). Each community should also consider if a translator is required to support information collection and reporting and make these arrangements before information collection sessions.



### 4. Collect the information

Information collection is generally done through workshops, focus groups, interviews with participants, or a combination of these depending on what will work best for each community and the participants. All participants should be provided information about the project at the start, prior to asking any questions.



### 5. Digitize spatial data

Information and spatial data collected should be digitized (put into electronic format) for storage purposes and to support reporting. This will enable the development of maps showing important sites and areas that were identified by participants. This may be done directly during data collection using direct-to-digital data collection methods or through data digitization of information recorded on paper maps once information collection sessions have been completed, depending on what would work best for your participants and community (see [Section 6.9](#)).



### 6. Validate the information

It is important to validate (confirm) information collected with the participants who provided it (see [Section 6.10](#)). This ensures that the information and data was documented accurately and appropriately.

### 7. Report on the information

The study report should explain how information was collected, and present the information both in text and through mapping (see [Section 6.11](#)).





## 6.2. Confidentiality & Participant Informed Consent

In addition to considering confidentiality in terms of the information that is shared with the MFFN Project team (see **Section 3.3**), communities need to also consider how the information collected will be kept confidential internally. Strategies that could be used to keep information confidential include:

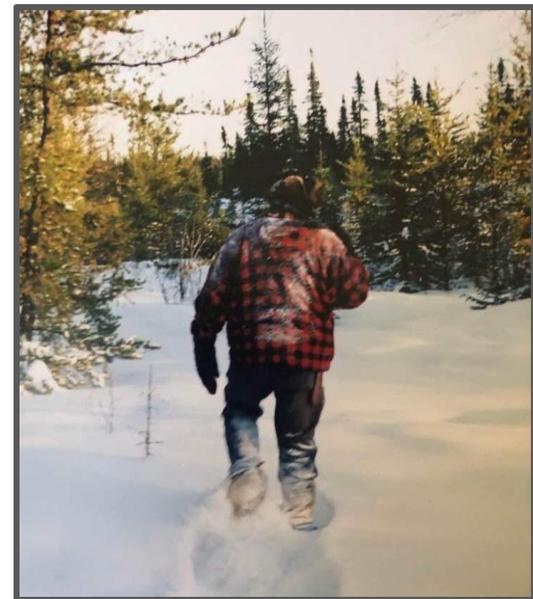
- Do not share information and mapping with others unless the person who shared the information have provided written permission;
- Use confidentiality agreements with any third-party researcher(s) supporting your community with the study; and
- The final maps and any reports developed should not contain participants' names (identifiers like participant # should be used instead), and the names associated with participant # should be strictly managed internally (Tobias, 2010).

It is also important that community members participating in the IK Program (and sharing IK and/or information on Indigenous land and resource use) provide consent to sharing the information. In order to do this, they must understand how the information they share may be used. Participant consent forms are generally used to support this. A sample participant consent form that could be used for your community members is provided in **Appendix C**.

## 6.3. Information on Community Culture and Lifestyle – Past and Present

Providing information on the culture and lifestyle of your community, both in the past and in the present, is valuable for the assessment processes as it provides important background information on the activities that are important to the community and related to Aboriginal and Treaty rights, and how historical and cumulative effects may have already impacted these rights-based activities. This includes information on:

- The history of your community including traditional way of life, governance systems and laws, language, cultural practices and how they were/are taught and handed down, and uses of lands and resources; and
- Current community context, including changes that have taken place over time (e.g., in terms of way of life, governance, language, cultural practices and teaching, land and resource use, etc.) as a result of historical and cumulative effects (e.g., establishment of the trapline system, construction of dams, mineral exploration, forestry, etc.).





A set of questions that should be used to guide information gathering on historical and current community context is provided in **Appendix D**. This information may be collected through research and review of existing documents and/or during information collection sessions with study participants.

*It is anticipated that similar questions will also be asked during the Consultation Program for the Project so this type of information can also be collected through this avenue of engagement.*

## 6.4. Preparing Base Maps

The MFFN Project Team will provide interested communities with the digital files (e.g., shapefiles) for the study areas and the potential route alternatives (see Figure 1 in **Appendix B**) to support the preparation of base maps to be used for information collection. These maps are generally printed out and used to record sites and areas during mapping sessions, although some communities may record sites and areas digitally using mapping software and computers (direct to digital methods).

Whichever approach is used, it is important to choose an appropriate **map scale** to allow for spatial data (sites, areas, etc.) to be captured easily and accurately. Maps with too large of a scale (e.g., 1:20,000) may have too much detail (making it hard for participants to find landscape reference points) and require a significant amount of time for data collection. Maps with too small of a scale may not provide enough detail and make it difficult to collect accurate data – one dot on a 1:250,000 scale map can cover 0.25 km on the ground. A 1:50,000 scale map is generally ideal (Tobias, 2000) and multiple maps may be required to cover the Study Areas. However, a mix of map scales may be useful depending on the information being collected and the accuracy required (e.g., specific cultural sites vs. seasonal movement patterns of caribou).



**Map scale** refers to ratio of the distance on a map to the actual distance of the ground. For example, if a map has a scale of 1:50,000, then 1 cm on the page represents 50,000 cm (50 m) on the ground. Small-scale maps show less detail than large-scale maps.

It is also important to include any place names (including names of lakes, rivers, towns, reserves, etc.) on the base mapping to support participants in orienting themselves on the base maps, which can help make data collection sessions faster and easier. Lastly, if multiple maps will be used, map numbers should be assigned to each and these map numbers should be referenced for any data collected so it is clear which data relates to which maps.





## 6.5. Temporal Boundaries for Baseline Information on Indigenous Land and Resource Use

There are generally at least two **temporal boundaries** or time periods used to collect baseline information on the **current use** of lands and resources for traditional purposes: past (within living memory up to a recent point in time when conditions may have changed) and present. It is important to provide definitions for any specific time periods used.

The MFFN Project Team has identified and defined the following time periods to guide baseline information collection on current use for MFFN:

- **Past Use:** Land and resource use after 1947 (when the registered trapline system in Ontario was implemented) up to 2008 (when the landscape and local economy really started to change as a result of mineral discoveries); and
- **Present Use:** Land and resource use from 2008 up to present day and into the reasonably foreseeable future.

We recognize that communities may prefer to select their own temporal boundaries based on their histories and land and resource use patterns.

In addition to the past and present community context (see **Section 6.3**), the use of these two time periods will allow the MFFN Project Team to better understand pre-development baseline conditions and changes that have occurred over time to present day for a more holistic perspective of “baseline” conditions.

### Temporal boundaries

refer to the time frames used to assess something. Temporal boundaries are often used to guide baseline information collection, as well as assessment processes in terms of project timelines and associated potential impacts. The two temporal boundaries for the impact assessment for the proposed Project are construction and operation/ maintenance.

**Current use** refers to how the use of lands and resources may be affected throughout the proposed project’s lifecycle. This includes uses by Indigenous peoples that are actively being carried out at the time of the assessment. It also includes uses that have ceased due to external factors if they could be expected to resume once conditions change, and uses that are likely to occur in a reasonably foreseeable future provided that they have continuity with traditional practices, traditions or customs (CEAA, 2015).





## 6.6. Categories to Organize Information

Categories (e.g., harvesting, cultural, habitation, travel, etc.) are generally identified and used to organize information in IK/ILRU studies. These categories can be used to organize questions to be asked to participants. They are very helpful when digitizing and organizing all the data collected into a geodatabase. They also make reporting easier for the community.

The use of categories also makes the integration of information into the assessment processes easier. The MFFN Project Team has identified a set of general categories and subcategories that should be used to organize IK and information on Indigenous land and resource use for the Project, as shown in Table 2.

**Table 2. Categories to organize information collected**

General Category	Sub Categories	Examples of what may be included in these categories
<b>Animal Harvest</b>	Large mammals	Bear, moose, caribou, deer
	Furbearers	Bobcat, ermine, fisher, marten, weasel, wolf, rabbit, etc.
	Birds	Ptarmigan, partridge, duck, geese, etc.
	Other	Porcupine, raccoon, duck eggs, etc.
	General trapping area	
<b>Fish Harvest</b>	Fish	Lake trout, whitefish, pike, pickerel, ling, etc.
<b>Plant Harvest</b>	Berries	Blueberries, raspberries, Saskatoon berries, etc.
	Medicinal plants	Sage, peppermint, muskeg tea, sweet grass, etc.
	Food plants	Wild rice, mushrooms, etc.
	Other	Birch, cedar, moss, firewood, etc.
<b>Cultural, Spiritual and Sacred</b>	Cultural sites and areas	Traditional community gathering area, ceremonial site, teaching site, culturally sensitive area, traditional meeting place, shaking tent, sweat lodge, etc.
	Spiritual and Sacred sites and areas	Spiritual sites, birth site, burial site or ground, place where ashes were spread, sacred rock, etc.
	Historical sites	Archaeological site, pictograph, Hudson's Bay Trading post, etc.
	Stories/legends sites	Sites with stories/legends/oral histories
<b>Place Name</b>	Traditional name	Traditional site or areas names, orientation points, etc.





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

General Category	Sub Categories	Examples of what may be included in these categories
<b>Habitation</b>	Permanent habitation	Cabins, village sites, etc.
	Temporary habitation	Camp sites, teepee sites, etc.
<b>Travel</b>	Water travel	Canoe routes, boat and motor routes, portages, etc.
	Ground travel	Walking paths or trails, winter trails, skidoo/snowmobiling/ ATV trails, etc.
	Historical routes	Historical trails, historical canoe routes, etc.
<b>Points of Interest</b>	Environmental features	Esker, pond, lake, streams, rivers, rapids, waterfalls, etc.
	Other	Cache, stone bridge, gold strike, dangerous area, etc.
<b>Fish &amp; Wildlife Use Areas</b>	Important use areas	Spawning areas, calving areas, denning areas, nesting sites, concentration areas (e.g., moose, caribou), etc.
	Travel and migration routes	Moose travel route, caribou migration route, fish migration route, animal trails, etc.
<b>Shared Area</b>		Areas that may be shared or used with other Indigenous communities for traditional activities (e.g., hunting, trapping, etc.) or other cultural uses.





## 6.7. Collecting IK and Information on Indigenous Land & Resource Use

The following types of information should be collected and shared to become part of the assessment processes:

-  Information about the **existing environment in the vicinity** of the Project, both in the past and present;
-  **Indigenous Knowledge that is tied to specific places or areas** (e.g., locations of important moose calving areas);
-  Specific sites used for **Indigenous land and resource use** (e.g., hunting, trapping, fishing, etc.) or **other cultural purposes** (e.g., sacred sites, teaching sites, etc.); and
-  **Indigenous Knowledge that is not tied to specific places** (e.g., how resources are prepared and used, important relationships between animals and their environments, etc.).

This information may be collected through research and review of existing documents and/or during information collection sessions with study participants.

An IK/ILRU Question Guide that should be used to guide gathering of IK and information on Indigenous land and resource use within the study areas is provided in **Appendix E**. The questions are organized based on the categories listed in Table 2 (**Section 6.6**). Note that there are both general and site-specific questions within several of the categories. The general questions could be used in any workshops or focus groups, while the site-specific questions would be most appropriate for any interviews (although they can be used during a workshop or focus group if interviews will not be completed for the study).





Features mapped during information collection sessions are recorded as:

- Points – used to represent a fixed or specific location (e.g., salt lick location, cabin location, moose kill site, etc.);
- Lines – used to represent a linear landmark or activity (e.g., trails, travel routes, caribou crossing, etc.); and
- Polygons – used to represent an area (e.g., moose winter use areas, caribou calving grounds, trapline area, etc.).

It is important to note that points and lines should be used, where possible, as these provide greater accuracy in the data collected. However, in some cases the use of polygons may be most appropriate. Where polygons are used, it is best practice to avoid very large ones where possible as these can impact the accuracy and credibility of the data.



## 6.8. Collecting Perspectives on Potential Project-related Impacts

The following types of information should also be collected and shared to become part of the assessment processes:



Perspectives about how the **natural** and **physical environments** (e.g., wildlife, water, air, etc.) and **human environment** (e.g., Indigenous land and resource use, culture, language, Aboriginal and Treaty Rights, etc.) may be **positively** or **negatively** impacted by the Project; and



Perspectives on the **cumulative effects** that have already impacted the **community, culture and cultural practices** and how the proposed Project may contribute to these effects.

A set of questions that should be used to guide gathering of information on the potential positive or negative impacts of the proposed Project is provided in **Appendix F**. These questions could be used during any workshops or focus groups, or asked during any interviews, depending on what would work best for your community and participants.





*It is anticipated that similar questions on the potential impacts of the Project on the will also be asked during the Consultation Program for the Project so this type of information can also be collected through this avenue of engagement. However, Project-specific IK/ILRU studies provide an important opportunity to provide these community perspectives and concerns, especially in terms of the potential impacts of the proposed Project on Indigenous land and resource use and cultural sites and practices based on information documented through the study.*

## **6.9. Digitizing Data Collected**

Communities using direct-to-digital methods of mapping will have the spatial data that is collected (e.g., hunting sites, cabin locations, etc.) digitized (turned into electronic form) at the time of collection. However, for communities that are using paper maps to record spatial data, the data must be digitized and stored once it has been collected. The points, lines and polygons associated with features identified on the base maps must be digitized in a GIS format. In addition, the descriptive information associated with each mapped point, line and polygon feature (e.g., what was hunted here, when it was hunted, who hunted it, etc.) must be captured in a database that is linked to each of features documented.

*The MFFN Project Team is available to support communities in digitizing the data collected and developing maps, and we would be happy to discuss this further.*

## **6.10. Data Validation**

It is important to validate or confirm that the information collected has been document properly and accurately. Group sessions to review the maps and information in the database with the participants who provided the information are a useful way to do this as confirmation can potentially be made by more than one person. These sessions also allow for more information that may emerge through discussion to be collected and mapped. In addition, information collected from previously completed 'on the land' activities, including participation in field studies for the proposed Project, can also be used to support data validation. Any corrections to the information or data should be made within the database and associated mapped (digitized) features.

*As noted in **Section 4**, the MFFN Project Team will also provide communities with the opportunity to review our interpretations and descriptions based on the data we receive to ensure we have accurately reflected the perspectives of the community.*





## 6.11. Reporting

Once all information collected through the study has been validated, a final study report must be prepared. The study report should include:

- A description of how the study was conducted (or the methodology), including:
  - The background documents, reports or other sources that were reviewed to support the study;
  - How participants were selected and if and how different genders and age groups were factored into the selection of participants;
  - How the information was collected (e.g., workshops and/or interviews), documented and digitized (including if translators were used to support information collection); and
- The results of the study in terms of:
  - The IK and information on Indigenous land and resource that was documented, including associated mapping; and
  - Information on the concerns and perspectives of participants in terms of the potential impacts of the proposed Project and any associated recommendations.

The database and mapping developed is the most useful tool for report writing as they contains all information in one place. The mapping included in the study report should be **composite maps** that show the combined data collected for each of the categories (e.g., animal harvesting, etc.) rather than maps showing the data collected from each individual participant. For any particularly sensitive sites that may have been documented and for which there are concerns related to confidentiality, it is best practice to apply a buffer (e.g., 500 m or 1 km) and randomize the centre of point data within that buffer for the purposes of reporting.

A report template that should be used to guide final reporting for the study is provided in **Appendix G**. The report template can be customized to suit the needs of the community; however, the general nature of information included in this report template should be included in the final report provided. In addition, and as noted in **Section 6.2**, the report should not contain participants' names for confidentiality purposes – identifiers like participant # should be used instead.

The MFFN Project Team requests that communities share preliminary composite maps and associated spatial data (with limited information included to protect sensitive and confidential information) as soon as they are available and prior to full reporting to support timely information sharing and enable meaningful consideration of Indigenous values in Project planning and the assessment processes. We also ask that a draft or interim report version is shared prior to a final report. This request is reflected in the IK Program schedule (see **Section 7**).





**Please note:** We will be providing communities with a template database (with limited information requirements to protect sensitive and confidential information) that should be used for sharing spatial data with the MFFN Project Team. All data shared with the MFFN Project Team will be strictly for the purposes of assessment and Project planning, including avoidance and impact mitigation measures, and will be protected according to the IK Sharing Agreement. If spatial data is not provided (i.e., only report maps are provided), it is important to note that the MFFN Project Team may need to digitize information shared in the report to support Project planning and identification of negative impact avoidance and mitigation measures.

## 7. Schedule

The proposed schedule for the IK Program and any Project-specific IK/ILRU studies that may be undertaken is shown in Table 3.

**Table 3. Schedule for the IK Program**

Key Task/Deliverable	Date
Executed IK Sharing Agreements	Fall 2020
Start Project-specific IK/ILRU studies	Fall 2020
Sharing of existing IK-ILRU information that may be relevant and preliminary mapping completed for Project-specific IK/ILRU studies	As soon as possible
Draft IK/ILRU Study Report	March 2021
Final IK/ILRU Study Report	April 2021

## 8. Next Steps

As noted in **Section 4**, the IK and ILRU information shared with the MFFN Project Team will become an important part of the assessment processes – it will be used to support the selection of valued components and indicators, the description of existing environmental conditions, the characterization of the potential impacts of the proposed Project, the identification of measures to reduce the potential for negative effects (impact management measures) and enhance the potential benefits, and the development of monitoring programs. The MFFN Project Team will work with Indigenous communities to ensure that IK and ILRU information shared is appropriately used in the assessment process through





ongoing consultation and engagement activities and the identification of opportunities for collaboration as the assessment processes proceed.

## 9. References

Canadian Environmental Assessment Agency (CEAA). (2015). Technical Guidance for assessing the Current Use of Lands and Resources for Traditional Purposes under the *Canadian Environmental Assessment Act, 2012*. Draft for Public Comment, December, 2015. Retrieved from [https://www.canada.ca/content/dam/iaac-acei/documents/policy-guidance/assessing-current-use-lands-resources-traditional-purposes/current use final draft-eng.pdf](https://www.canada.ca/content/dam/iaac-acei/documents/policy-guidance/assessing-current-use-lands-resources-traditional-purposes/current_use_final_draft-eng.pdf).

Chiefs of Ontario (n.d.). Traditional Knowledge. Retrieved from <http://www.chiefs-of-ontario.org/priorities/environment/traditional-knowledge/>.

Tobias, T. (2000). Chief Kerry's Moose, a guidebook to land use and occupancy mapping, research design and data collection. Union of BC Indian Chiefs and Ecotrust Canada: Vancouver, BC.



# Appendix A

# Glossary



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## Appendix A – Glossary

**Aboriginal Interests:** In the context of environmental assessment, Aboriginal interests are the interests that are specific to each Aboriginal group or First Nation that may be impacted by a proposed project, including but not limited to environmental, cultural, social, and legal interests.

**Aboriginal Rights:** Aboriginal rights are the customs, practices and traditions that are integral to a First Nation. These rights are recognized and protected under Section 35 of the Constitution Act, 1982. Aboriginal rights vary from group to group depending on the customs, practices, traditions, treaties and agreements that have formed part of their distinctive cultures.

**Assessment processes:** Refers to the Provincial Environmental Assessment and Federal Impact Assessment processes that are required for the proposed Project. These assessment processes look at the potential positive and negative effects of the Project on valued components. These two assessment processes will be coordinated with the federal and provincial regulators and Indigenous communities, and will be undertaken concurrently (both processes will be completed at the same time).

**Baseline conditions:** Information about conditions in the environment or a community prior to a project being constructed.

**Composite map:** A map that combines and shows all data for a particular group of interview guide categories (e.g., hunting, trapping, etc.) for all participants involved in the mapping exercise.

**Consultation:** A process of communication between parties that seeks to make clear the concerns of the parties about a particular issue and attempts to address or accommodate the concerns so that both parties are satisfied. With respect to Aboriginal rights, a component of the “Sparrow Test” that may be applied by governments to justify infringement of the rights.

**Current use:** Current use refers to how the use of lands and resources may be affected throughout the life of a project. This includes uses that are actively being carried out at the time of the assessment. It also includes uses that have ceased due to external factors if they could be expected to resume once conditions change, and uses that are likely to occur in a reasonably foreseeable future provided that they have continuity with traditional practices, traditions or customs (CEAA, 2015).

**Gender-based Analysis Plus (GBA+):** Refers to an analytical process used to understand how diverse groups of women, men, and gender diverse people (including vulnerable groups) may experience a project and its potential impacts differently.





**Indigenous Knowledge:** Refers to Indigenous systems of knowledge as well as cultural practices related to the production of knowledge based on traditional belief systems, relationships to the environment, and community practices. It is the accumulated and living knowledge built upon the historic experiences of Peoples living on the land and adapting to social, economic, environmental, spiritual and political change (Chiefs of Ontario, n.d.). It includes knowledge about the natural environment (e.g., locations of caribou seasonal use and calving areas), the relationships between environmental changes and species or ecosystems, and how potential effects to the environment can be avoided or reduced.

**Indigenous land and resource use:** Refers to specific areas and resources used for traditional purposes when Indigenous peoples learn and practice their IK (Garvin et al. 2001). This includes the areas and sites used for hunting, trapping, fishing, and gathering and the resources harvested, as well as cultural sites, features and practices. Sometimes referred to as Traditional Land Use.

**Interested Indigenous communities:** Refers to Indigenous communities that have the potential to be affected by the proposed Project and are interested in participating in the IK program for the Project.

**Project-specific Indigenous Knowledge and Indigenous Land and Resource Use (IK/ILRU) Study:** Refer to a study that is undertaken to collect information about the traditional use of land and resources (e.g., hunting, trapping, cultural uses, etc.) by an Indigenous community. Study reports include both the information collected in text and the spatial data collected (locations of use) in maps.

**Map scale:** Refers to ratio of the distance on a map to the actual distance of the ground. For example, if a map has a scale of 1:50,000, then 1 centimetre on the page represents 50,000 centimetres (50 metres) on the ground. Map scales can usually be found on the outer edge of a map, usually near the maps key.

**Study areas (or spatial boundaries):** 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 assessment processes.

**Temporal boundaries:** Temporal means pertaining to time. Temporal boundaries refer to the time frames used to assess something. Temporal boundaries are often used to guide baseline information collection, as well as assessment processes in terms of project timelines (e.g., construction, operation) and associated potential impacts.

**Treaty Rights:** Rights that are described in a written agreement (e.g., treaty, land claim or self-government agreement) between a First Nation and the Crown and protected by section 35 of the Constitution Act, 1982.

**Valued components:** Refers to important components of the natural (wildlife, water, etc.) and human (social, cultural, economic) environment that could be impacted by a proposed project or activity.



**Appendix B**

**Preliminary Aboriginal and  
Treaty Rights & Interests Study  
Areas Memo**



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## Appendix B – Preliminary Aboriginal and Treaty Rights & Interests Study Areas Memo

Marten Falls First Nation (MFFN) is a remote First Nation community in northern Ontario located at the junction of the Albany and Ogoki rivers, approximately 430 kilometres (km) northeast of Thunder Bay, Ontario. The MFFN community is currently only accessible by air and a winter road. Given the unreliability of the winter road, MFFN is proposing an all-season Community Access Road (**the Project**). The Project will connect MFFN to Ontario's provincial highway network (Highway 643) to the south via the existing Painter Lake Road.

MFFN (the Proponent) has started a Provincial Environmental Assessment and Federal Impact Assessment (**the assessment processes**) to assess the potential effects and benefits related to the proposed Project. An important part of the assessment processes is collecting Indigenous Knowledge (IK), community knowledge and information on Indigenous land and resource use to help us understand baseline (existing) conditions, predict the potential effects of the Project, and determine appropriate impact management and monitoring measures. An IK and Consultation Program has been developed for the Project. These Programs will help us to collect and determine in discussion with your community how IK (e.g., natural environment information) and information on Indigenous land and resource use in the vicinity of the Project area (e.g., harvesting, cultural sites) will become part of the assessment processes and Project planning and design.

***Please note that information and correspondence related to the IK program is considered part of the consultation and assessment processes for the all-season community access road to MFFN (the Project) only. The Northern Road Link is a separate project that will undergo a separate assessment.***

### Purpose of this Memo

We are currently working on defining study areas for the 'Aboriginal and Treaty Rights and Interests' valued component, which tentatively includes:

- Indigenous Current Use of Land and Resources for Traditional Purposes (hunting, trapping, fishing, gathering, cultural and spiritual sites, quantity and quality of resources, etc.); and
- Cultural Continuity – ability to practice and transmit cultural traditions (experience of being on the land, ability to access preferred sites and resources, etc.).

**Valued components** are important components of the natural and human environment that could be impacted by a proposed project or activity.





Indicators for this valued component will be further described in the Terms of Reference and through the IK Program.

**The purpose of this memo is to gather comments and feedback on the proposed study areas for this valued component. Note that these study areas are considered preliminary and we expect that inputs received will inform the final study areas.** These study areas will also inform the IK and Indigenous Land and Resource Use Studies that may be completed by some communities in terms of the geographic extents used to collect information from community members during these studies.

***It is important to note that different study areas will be used for the effects assessment for other valued components (e.g., wildlife, fish, vegetation, etc.). More information on the study areas used for these valued components and how they informed the study areas for the Aboriginal and Treaty Rights and Interests valued component is provided later in this memo.***

## IK Program Summary

As per previous communications, there are two key components of the IK Program:

1. Collecting existing IK and Indigenous land and resource use information collected by communities for other purposes (e.g., community-based land use planning) that they choose to share with MFFN; and
2. Completing Project-specific IK and Indigenous Land and Resource Use Studies with interested communities.

***Please note that in addition to the IK Program, the Consultation Program serves as an important avenue for collecting concerns, perspectives, community knowledge and other information relevant to the Project from Indigenous communities in the Project area.***

## 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 assessment processes. To capture the range of potential effects, the following study areas are typically used in assessment processes:

- **Project Study Area:** area of direct disturbance (the physical area required for Project construction and operation);





- **Local Study Area:** the area where the potential direct effects of the Project (e.g., direct effects on wildlife, vegetation and surface water associated with noise and vehicle emissions) 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 as a result of changes in wildlife and fish and their habitats) may occur.

Study areas are generally defined for each of the valued components that will be assessed (e.g., wildlife, vegetation, fish, water, Indigenous Peoples, etc.). The Project Study Area will be the same for all valued components, and for the MFFN Project is defined as a 100 m wide right-of-way of the road alignments (i.e., Route Alternatives 1, 4 and 4-West) and temporary infrastructure. The proposed Route Alternatives are shown in **Figure 1** (appended). The size of the local and regional study areas may differ across the valued components depending on the geographic extent needed to understand the potential effects of the Project.

Please note that as further information is received about the proposed Project (e.g., technical studies, IK, etc.), it is anticipated that there will be ongoing adjustments to where Project components will be located. This allows MFFN to move the proposed Project away from important and/or sensitive features or areas. It is anticipated changes will occur within the 5 km wide corridors detailed in the Draft Terms of Reference; however, there is the possibility that changes could occur outside of the existing corridors. For example, based on preliminary construction investigations of route Alternative 4, the Engineering Team identified a new routing alternative (currently referred to as Alternative 4-West, see **Figure 1**). This new routing could result in a shorter crossing of the Ogoki River, and would provide access to an aggregate source that could eliminate the need for an additional haul road. As adjustments are made, we will share information so that feedback is based on accurate Project locations.

## What Did We Consider When Defining the Preliminary Study Areas for Aboriginal and Treaty Rights and Interests?

The selection of study areas for the Aboriginal and Treaty Rights and Interests valued component must consider the geographical area needed to accurately assess potential effects that may result from the Project. Given that this valued component is closely tied to and dependent on other valued components of the natural environment (including surface water, wildlife, vegetation, fish, and air quality), we need to first have a sense of what the study areas for these natural environment valued components are.





**Table 1** below provides a summary of the preliminary study areas that have been defined for some of the key natural environment valued components identified for the Project.

***It is important to note that the study areas provided in Table 1 are considered preliminary and are subject to change based on review and inputs from federal and provincial regulators and Indigenous communities.***

The Local Study Areas have been defined to include a large enough area to account for the potential direct effects of the Project. For example, the Local Study Areas for fish and surface water are considered large enough to account for potential direct downstream/off-site effects. The Local Study Areas are also considered large enough to allow for potential adjustments to the road alignments to avoid sensitive features.

The Regional Study Areas have been defined to include a large enough area to account for the potential indirect effects of the Project. A Cumulative Effects Assessment study area will be developed as part of the assessment.

Most of the Regional Study Areas for the Project have been defined based on quaternary watersheds, which provide useful assessment boundaries. To help define what these are, we need to first define what watersheds are in general. **Watersheds** are defined as the area where all of the water drains to the same place. They are categorized based on their size from largest to smallest:

**Primary watersheds** are the largest and made up of various smaller watersheds. The three primary watershed in Ontario are the Great Lakes - St. Lawrence, Southwestern Hudson Bay, and Nelson River watersheds.

**Secondary watersheds** are generally large river or lake systems. There are 28 secondary watershed in Ontario (e.g., Albany River Watershed).

**Tertiary watersheds** range in size from 700 – 31,000 km<sup>2</sup>. There are about 145 tertiary watersheds in Ontario (e.g., Lower Ogoki and Upper Albany Makokibatan Watersheds).

**Quaternary watersheds** make up tertiary watersheds. They tend to be from 50 – 200 km<sup>2</sup> in size but can be larger. There are over 1,000 quaternary watersheds in Ontario (e.g., Wabassi River Outlet, Gourlie Creek Outlet).

**Table 1. Preliminary Study Areas for Other Key Valued Components for the Project**

Valued Component	Proposed Local Study Area	Proposed Regional Study Area
Fish and Fish Habitat	2.5 km of the centreline of the Route Alternatives and 2.5 km buffer around temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).	Includes the quaternary watersheds crossed by the road alignments and temporary infrastructure.





Valued Component	Proposed Local Study Area	Proposed Regional Study Area
Surface Water	<p>2.5 km of the centreline of the Route Alternatives and 2.5 km buffer around temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).</p> <p><i>Surface water refers to all aboveground waters including lakes, rivers, wetlands, etc.</i></p>	<p>Includes the quaternary watersheds crossed by the road alignment and temporary infrastructure. The Regional Study Area for Surface Water also encompasses the Regional Study Areas of other Valued Components that either affect surface water or are affected by surface water (e.g., Fish and Fish Habitat).</p>
Vegetation	<p>2.5 km of the centreline of the Route Alternatives and 2.5 km buffer around temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).</p>	<p>Includes the quaternary watersheds crossed by the road alignments and temporary infrastructure.</p>
Wildlife (General)	<p>2.5 km of the centreline of the Route Alternatives and 2.5 km buffer around temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).</p> <p><i>General refers to all wildlife other than wolverine, caribou and moose.</i></p>	<p>Includes the quaternary watersheds crossed by the road alignments and temporary infrastructure. Watersheds provide a natural transition area to help identify long-range, indirect effects the project may have on wildlife surrounding the community access road.</p>
Wildlife (Wolverine)	<p>10 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas) given the large home range for the species.</p>	<p>Includes the tertiary watersheds crossed by the road alignments and temporary infrastructure. Indirect effects to wolverine are more likely to be defined by tertiary watershed boundaries due to their larger home range.</p>





Valued Component	Proposed Local Study Area	Proposed Regional Study Area
Ungulates (moose & caribou)	<p>MOOSE: 2.5 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).</p> <p>CARIBOU: 35 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).</p>	<p>MOOSE: Coincides with wildlife management unit (WMU) 17 and part of WMU 1D (proposed route in WMU 1D with 16 km buffer). Based on the fact that moose in Ontario are managed at the WMU level.</p> <p>CARIBOU: Coincides with the three caribou ranges in the region (Missisa Range, Nipigon Range, and Pagwachuan Range).</p>
Air Quality	5 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas), based on provincial recommendations that effects are assessed up to 5 km from an emissions source.	Not applicable since effects not expected beyond the Local Study Area.
Noise	1 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).	2.5 km buffer around Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).
Physiography & Groundwater	2.5 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).	5 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).





Valued Component	Proposed Local Study Area	Proposed Regional Study Area
Cultural Heritage	5 km buffer around the Route Alternatives and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).	1 km buffer around the Local Study Area.

## Preliminary Study Areas for Aboriginal and Treaty Rights and Interests

Preliminary study areas have been identified based on community input received to date, best practices, and the preliminary study areas identified for the other valued components (refer to **Table 1**). These preliminary study areas are described in **Table 2** below with associated rationale, and shown in **Figure 1** (appended).

The proposed Local Study Area has been defined to include a large enough area to account for the potential direct effects of the Project. It is also considered large enough to allow for flexibility to accommodate potential changes to the road alignment options (i.e., Route Alternatives 1, 4, and 4-West) that may be required based on the results of on-going studies inputs received during the IK and Consultation Programs. The Regional Study Area has been defined to include a large enough area to account for the potential indirect effects of the Project.

As noted previously, these study areas will also inform any IK and Indigenous Land and Resource Use Studies completed for the Project. It is also important to note that while these preliminary study areas are intended to guide data collection in terms of site- or area-specific Indigenous land and resource use in the vicinity of the Project, collecting IK that is more general (e.g., habitat values important for caribou) is also an important part of the program and will become part of the assessment processes (including baseline conditions, effects assessment and identification of impact management measures).





**Table 2. Preliminary Study Areas for Aboriginal and Treaty Rights and Interests**

Proposed Study Area	Geographic Extent	Rationale
Local Study Area	5 km of the centreline of the Route Alternatives and 5 km buffer around other project components (e.g., aggregate sources) and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).	The Local Study Area allows the MFFN Project Team to gather specific information that can be used to help Project design by avoiding or mitigating effects to sensitive features. It also corresponds to the outermost boundaries of the combined Local Study Areas for the fish and fish habitat, surface water, vegetation, general wildlife, moose, and air quality valued components. It has been defined based on the key components that may be relied on (surface water, fish, vegetation, general wildlife and moose) or considered to influence (air quality) Indigenous culture and/or land and resource use. Matching with the Local Study Areas for surface water and fish is also considered appropriate given key concerns related to potential effects on water, which all other natural components are reliant on, as described during consultation with Indigenous communities to date.
Regional Study Area	Combined area of the quaternary watersheds crossed by each of the road alignments.	The Regional Study Area allows the MFFN Project Team to gather information at a larger scale to better understand potential indirect effects on the valued components specific to Indigenous people. It 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 given that these components may be relied on by Indigenous peoples for cultural and land and resource purposes. Matching with the Regional Study Areas for surface water and fish is also considered appropriate given key concerns related to potential effects on water, which all other natural components are reliant on, as described during consultation with Indigenous communities to date.





## Next Steps

Thank you for reviewing the Preliminary Study Areas Memo. We look forward to your comments and feedback on the proposed study areas for the Aboriginal and Treaty Rights and Interests valued component. **We respectfully request any feedback, comments, and/or supporting information or documentation on the preliminary study areas are provided by September 25, 2020.**

Comments, questions, information and feedback can be directed to the IK Program Leads:

- Bob Baxter, MFFN Advisor at [bbaxter48@gmail.com](mailto:bbaxter48@gmail.com)
- Larissa Mikkelsen, MFFN Advisor at [larissa@lbsconsulting.ca](mailto:larissa@lbsconsulting.ca)

While we recognize that many communities have been affected by COVID-19, we are committed to working with and supporting communities in participating in the Consultation and IK Programs through this time. We want to provide as much time as possible to complete any Project-specific IK and Indigenous Land and Resource Use Studies that may be undertaken as part of the IK Program. We greatly appreciate your timely feedback.

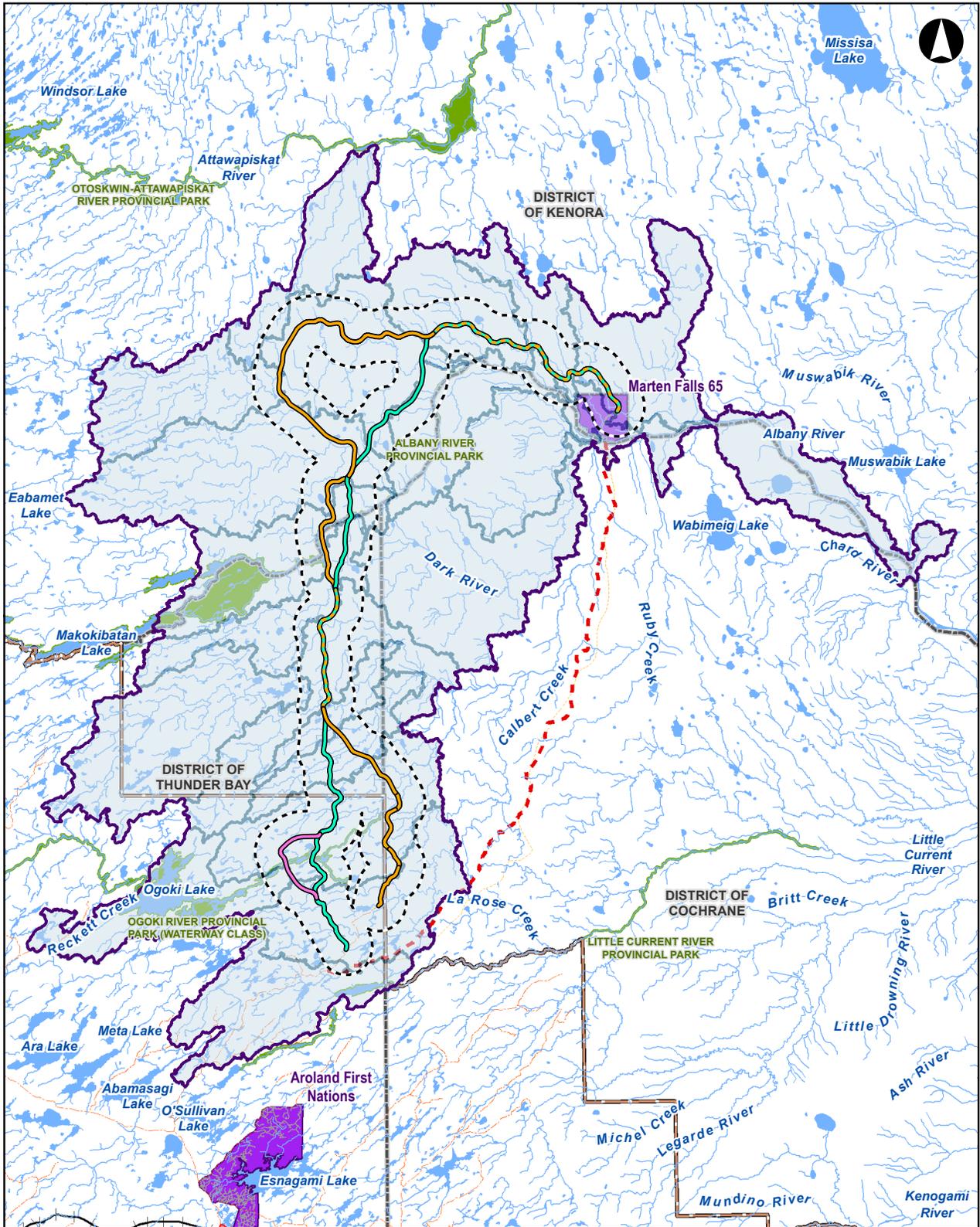
Sincerely,

Qasim Saddique  
Project Director

Lawrence Baxter  
Senior Community Member Advisor

On behalf of the Marten Falls First Nation Community Access Road Project Team





**Legend**

Local Study Area	Highway	Watercourse
Regional Study Area	Local Road	First Nation Reserve
<b>Route Label</b>	Winter Road	Far North Boundary
Alternative 1	Resource / Recreation Road	District Municipal Boundary
Alternative 4	Existing Winter Access Road	Waterbody
Alternative 4 West	Railway	Quaternary Watershed
Alternative 1 and Alternative 4		Provincial Park

**Data Sources:**  
 Base Data - Provided by MNRF 2019; Route Infrastructure - Provided by AECOM/Dillon 2019  
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**MARTEN FALLS FIRST NATION  
COMMUNITY ACCESS ROAD**

Preliminary Study Areas for the Aboriginal and Treaty Rights and Interests Valued Component

0 5 10 20 30 40  
Kilometres

Datum: NAD 1983 UTM Zone 16N

Oct, 2020 1:740,000 P#:188898 Rev:00

**Figure 1 - Revised October 2020**

**DRAFT**

## Appendix C

# Participant Informed Consent Form



**1-800-764-9114**

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## Appendix C – Participant Informed Consent Form

*The following provides an example participant informed consent form that could be used for your Indigenous Knowledge and Indigenous Land and Resource Use Study.*

I \_\_\_\_\_ (name) give permission for \_\_\_\_\_ (name) to interview me on this day \_\_\_\_\_ (today's date) for the Indigenous Knowledge and Indigenous Land and Resource Use Study for the Marten Falls First Nation Community Access Road Project.

I understand that the information I provide in this interview is being collected by the Marten Falls First Nation Project Team and their representatives to help them understand:

- The environmental conditions in the area of the project, both in the past and present;
- Indigenous Knowledge that should become part of the project environmental/impact assessment processes;
- Concerns about how the project could negatively impact the natural environment (land, water and animals) and [INSERT COMMUNITY NAME] cultural activities and culturally important places, including places that community members use for hunting, trapping, fishing, and gathering; and
- How potential negative impacts could be avoided or reduced.

I understand that the information collected will be used to:

- Establish the baseline (historical and existing) conditions and inform studies of species and lands and how they may be affected by the project;
- Identify sites and areas that are important to [INSERT COMMUNITY NAME] and could potentially be negatively impacted by the project;
- Support the assessment of potential project impacts on [INSERT COMMUNITY NAME];
- Support the regulatory requirements for the environmental/impact assessment processes in terms of consultation and engagement;
- Inform the project route alignment (where the road will go) so that the project can be designed to avoid or reduce negative impacts wherever possible; and
- Support [INSERT COMMUNITY NAME] in building a database of [INSERT COMMUNITY NAME] Indigenous Knowledge and land and resource use information that could be used for other community purposes (with my approval to do so first).





By signing below, I understand that:

- 1) I give my consent to have my words and responses recorded on maps and in notes, and to using audio and video equipment only if I feel comfortable and approve here:  Yes  No
- 2) I am free to not respond to any of the questions asked and stop the interview at any point without any consequences;
- 3) I will retain ownership over the information I provide and any recordings made of my participation;
- 4) I give permission for my words and statements to be used in reports for the environmental/impact assessment processes;
- 5) [INSERT COMMUNITY NAME] may use the information I provide for defending and communicating the rights and interests of community members during regulatory and negotiation processes;
- 6) I can remain anonymous in that my name will be protected and will not be used in any reports that contain information from this interview;
- 7) I give consent to have photographs taken of me and that these may be used in study materials (e.g., the report) only if I feel comfortable and approve here:  Yes  No
- 8) The information collected (e.g., maps, tapes, reports, etc.) will be returned to [INSERT COMMUNITY NAME] for storage and archival, and will not be used for any other purposes without my permission or the permission of my descendants.

\_\_\_\_\_  
Participant (Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interviewer (Print Name)

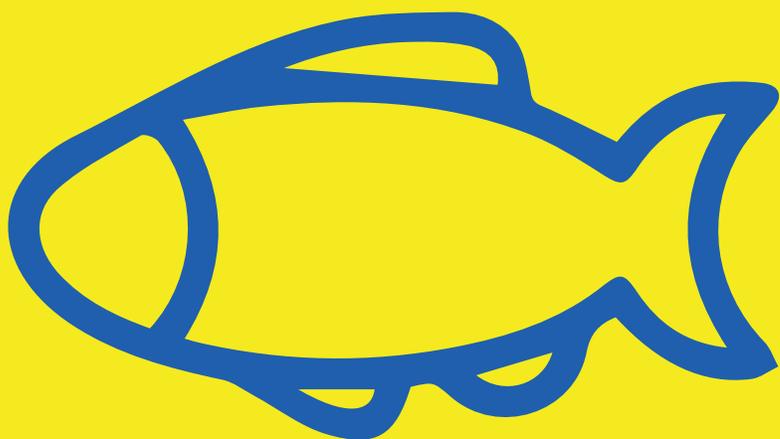
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## Appendix D

# Guidance for Collecting Information on Community Culture & Lifestyle (Past and Present)



**1-800-764-9114**

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## Appendix D – Guidance for Collecting Information on Community Culture & Lifestyle (Past and Present)

*The following questions should be used to guide and support general information gathering on community cultural and lifestyle in both the past and today. Specific questions related to the proposed Project area are contained in Appendices E and F.*

1. What is the history of your community and/or what are important dates in the history of your community?
2. How would you describe the traditional way of life of your community and its members before any significant changes (e.g., European settlement, residential school system, etc.) took place in terms of:
  - a. How was the land important to the community and culture?
  - b. How did community members use the land and its resources each season?
  - c. What was an ordinary day like for a women? For a man? For children?
  - d. How was your culture (including language) shared and transmitted through the use of lands and resources?
  - e. How were land use and land management decisions made? What governance system, clan system, family system, and/or traditional or natural laws were in place and guided land and resource use?
3. How has your community changed over time in terms of:
  - a. Importance of the land to your community and culture today?
  - b. How community members generally use the lands and resources today? Men? Women? Children?
  - c. How is your culture (including language) shared and transmitted through the use of lands and resources today?
  - d. What aspects of the traditional governance system (e.g., clan system, family system) and/or laws (e.g., natural laws) are still in place or are being revived in the community?
4. What historical and/or cumulative effects (e.g., dams, residential schools, day schools, reserve system, establishment of the registered trapline system, mineral development, etc.) led or contributed to these changes in the traditional way of life and culture?
  - a. When did key changes take place?





*The following questions aim to provide an understanding of how much food eaten today is wild versus store bought, and how much this has changed over time compared to the past for a better understanding of true baseline conditions.*

5. How much of your food today (%) is from wild animals and plants (including berries) compared to store bought food?
  - a. Which ones are most important?
  - b. Roughly how much of each animal do you hunt/trap/fish each year today (e.g., how many moose per year)?
6. How much of your food in the past (%) was from wild animals and plants (including berries)?
  - c. When was this?
  - d. Which ones were most important and in what season?
  - e. Roughly how much of animal did you hunt/trap/fish per year? How many plants and berries (in pounds or however you would explain it)?



## Appendix E

# IK/ILRU Question Guide



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## Appendix E – IK/ILRU Question Guide

*The following question guide should be used to support the collection of Indigenous Knowledge and information on Indigenous land and resource use relevant to the proposed Project and within the Local and Regional Study Areas. The guide begins with an example script that could be used to introduce the purpose of the interview, followed by a set of questions (general and more site-specific ones) that should be used based on the information we have been asked to provide by provincial and federal regulators.*

### **Introductory Script**

My name is **[INSERT INTERVIEWER NAME]** and my co-researcher is **[INSERT CO-RESEARCHER NAME]**. We are working on behalf of **[NAME OF YOUR COMMUNITY]** to gather information on your knowledge of and experience in the area of the proposed Marten Falls First Nation Community Access Project.

The Project involves the development of an all-season road to connect Marten Falls First Nation to Highway 643 to the south using the existing Painter Lake Road. The environmental assessment that is being done will look at the existing natural and human environments in the area of the proposed Project and the potential negative and positive impacts of the Project on these environments, including Indigenous people. The information you provide today will be used by **[NAME OF YOUR COMMUNITY]** to support the protection of important sites and areas and your culture and values.

The interview will take up to **[INSERT HOW MANY HOURS THE INTERVIEW WILL BE]**. We will ask you a number of questions about your knowledge, experience and land and resource use in the local and regional study areas being used to assess potential impacts on Indigenous peoples. The questions are based on the type of information we are being asked to provide for the assessment process by federal and provincial regulators. The study areas are shown on these maps where we will mark up sites you have used in the past or currently use for hunting, trapping, fishing and gathering. *[Review the maps showing the local and regional study areas so the participant gets an understanding of the areas].*

You can decline any of the questions we ask if you would prefer not to answer. All information and files from today's session will be stored and managed by **[NAME OF YOUR COMMUNITY]**. We also have a consent form that explains exactly how the information you provide may be used. We would like to review it with you now. *[Review the participant consent form now and determine if the participant provides consent to be video or audio taped during the session.]*

We will begin with some general questions about your background. Then we will move into more specific questions about your knowledge and experience in the local and regional study areas, both in the past and present. We will end the session with questions about your perspectives on the potential





negative or positive impacts of the proposed Project on your Aboriginal and Treaty rights, and how any negative impacts could be avoided or reduced and any positive impacts could be enhanced. If there is anything that we don't ask you about but you think should be included in final study report, please let us know.

Once we have completed all interviews for this study, we will be taking the information collected and show it on maps like this so that the road can be designed to avoid sites and areas that should be protected. You will be provided with a copy of the map developed from the information we collect today to confirm we have documented it correctly before it is reported on.

Do you have any questions before we begin? *[Answer any questions the participant may have before beginning].*

## **Interview Guide**

*[Mark down the following as you begin the interview]*

Today's date:

Time:

Location:

Participant ID #<sup>1</sup>:

Gender (male/female):

Interviewer:

Co-researcher/note taker:

Age Category: Under 18  Elder  Other

## **Background Information**

1. What is your full name?
2. What year were you born or how old are you?
3. What languages do you speak?
  - a. For any language other than English, how often do you speak it? (e.g., some of the time, most of the time, 50% of the time, etc.)

---

<sup>1</sup> Either assign a new # to the participant or use the # that has been used for the participant in previous studies or interviews)





## Introductory Questions

*The following questions are intended to give use a sense of your experience, or the experience of your family or relations, in the Local and Regional Study Areas for the proposed Project.*

1. Have you ever used sites or areas within the Local or Regional Study Areas for hunting, trapping, fishing, gathering, or cultural/spiritual purposes?
  - a. If yes, which activities?
  - b. If no, why?
2. Have your family or other relations ever used sites of areas within the Local or Regional Study Areas for hunting, trapping, fishing, gathering, or cultural/spiritual purposes?
  - a. If yes, which activities?
  - b. If no, why?
3. Have you ever done any commercial trapping or fishing in the Local or Regional Study Areas?
  - a. If yes, where and when?

## Animal Harvesting – Hunting & Trapping

**General Questions** (Could be used during workshops or focus groups)

1. Which animals (wildlife, birds) are culturally or spiritually significant to you or your community and why?
2. Which animals are harvested and how?
3. What time of year (season) do you hunt?
  - a. Trap?
4. How important are these animals to your daily life and why?
5. What do you look for or what is important when looking for sites and areas to hunt or trap these animals (e.g., certain trees, landscape features, muskeg, quiet place, etc.)?
6. Who taught you to hunt or trap these animals?
7. Do you teach others to hunt or trap these animals?

**Site-Specific (Mapping) Questions for the Study Areas**

1. Can you show us any places in the Local or Regional Study Area where you have killed or trapped animals?
  - a. Which animals/species?
  - b. When (year or decade)?
  - c. Why did you harvest it (e.g., for food, for ceremony, for medicine, etc.)?
2. Do you continue to use this site for hunting or trapping?
  - a. If so, how often?
  - b. If not, why not?





3. Are there any key sensitive areas within the Local or Regional Study Area that you use for hunting or trapping that should be protected?

## Fish Harvesting

### **General Questions** (Could be used during workshops or focus groups)

8. Which fish are culturally or spiritually significant to you or your community and why?
9. Which fish are harvested and how?
10. What time of year (season) do you fish?
11. How important are these fish to your daily life and why?
12. What do you look for or what is important when looking for sites and areas to fish (e.g., water or landscape features, quiet place, etc.)?
13. Who taught you to fish?
14. Do you teach others to fish?

### **Site-Specific (Mapping) Questions for the Study Areas**

4. Can you show us any places in the Local or Regional Study Area where you have harvested fish?
  - a. Which fish/species?
  - b. When (year or decade)?
  - c. Why did you harvest it (e.g., for food, for ceremony, for medicine, etc.)?
5. Do you continue to use this site for fishing?
  - a. If so, how often?
  - b. If not, why not?
6. Are there any key sensitive areas within the Local or Regional Study Area that you use for fishing that should be protected?

## Plant Harvesting

### **General Questions** (Could be used during workshops or focus groups)

1. Which plants (berries, trees, moss, medicinal plants, mushrooms, other plant materials) are culturally important or significant to your community and why?
2. Which plants are picked/gathered and how?
3. How important are these plants to your daily life?
4. What do you look for or what is important when looking for sites and areas to pick/gather/collect plants (e.g., certain trees, landscape features, muskeg, quiet place, etc.)?
5. Who taught you to pick/gather these plants?
6. Do you teach others to pick/gather these plants?





### ***Site-Specific (Mapping) Questions for the Study Areas***

1. Can you show us places in the Local or Regional Study Area where you have picked/gathered plants, including berries, trees, moss, medicinal plants, mushrooms, other plant materials?
  - a. Which plants?
  - b. What time of year (season) and when (year or decade)?
  - c. Why did you pick/gather it (e.g., for food, for ceremony, for medicine, etc.)?
2. Do you continue to use this site/area for plant picking/gathering?
  - a. If so, how often?
  - b. If not, why not?
3. Are there any key sensitive areas within the Local or Regional Study Area that you use for plant/berry picking that should be protected?

### **Cultural/Spiritual/Sacred Sites**

#### ***Site-Specific (Mapping) Questions for the Study Areas***

1. Do you know of any cultural sites (including gathering and ceremonial sites, teaching sites, traditional meeting place, sweat lodge, shaking tent sites, etc.) within the Local or Regional Study Area that are important to you or your community?
  - a. Who uses this site?
  - b. What time of year (season) and when (year or decade)?
  - c. Why is this site important?
  - d. Who taught you about this site?
  - e. Is the site still used today?
    - i. If so, how often?
    - ii. If not, why not?
2. Do you know of any spiritual or sacred sites (burial places, birthing places, sites where ashes were placed, sacred rock, etc.) within the Local or Regional Study Area that are important to you or your community?
  - a. Who uses this site?
  - b. What time of year (season) and when (year or decade)?
  - c. Why is this site important?
  - d. Who taught you about this site?
3. Do you know of any sites or places within the Local or Regional Study Area that have stories, legends or special knowledge associated with them that are important to you or your community?
  - a. Why is this site important?
  - b. Who taught or told you about this site or place?
  - c. How do you or your community members use this site (e.g., share stories, share language, teach others, etc.)?





4. Do you know of any historical sites (e.g., archaeological site, pictograph, etc.) within the Local or Regional Study Area that are important to you or your community?
  - a. Why is this site important?

### Traditional Names/Place Names

#### *Site-Specific (Mapping) Questions for the Study Areas*

1. Do you know of any sites or places within the Local or Regional Study Area that have traditional names or special place names in your traditional language?
  - a. Do you use this site?
    - i. If yes, how and when?

### Habitation

#### *Site-Specific (Mapping) Questions for the Study Areas*

1. Can you show us any places within the Local or Regional Study Area that you have stayed overnight (e.g., cabin, camp, tent site)?
  - a. How many times have you stayed here (once, several times, each year) and when (year or decade)?
  - b. Why have you stayed here?
  - c. Is this place important to you or your community?
    - i. If yes, why?

### Travel

#### *Site-Specific (Mapping) Questions for the Study Areas*

1. Can you show us any trails or routes within the Local or Regional Study Area that you have travelled on foot or by vehicle (quad, snowmobile) to access sites used for hunting, trapping, fishing, picking/gathering, camping, or cultural purposes?
  - a. What time of year (season) and when (year or decade)?
  - b. When did you first use this route and when did you last use this route?
  - c. What did you use this route for (e.g., to access a hunting site, to access a spiritual site)?
2. Can you show us any routes within the Local or Regional Study Area that you have travelled along water (creeks, lakes, rivers) by boat to access sites used for hunting, trapping, fishing, picking/gathering, camping, or cultural purposes?
  - a. What time of year (season) and when (year or decade)?
  - b. When did you first use this route and when did you last use this route?
  - c. What did you use this route for (e.g., to access a hunting site, to access a spiritual site)?





3. Do you know of any old land or water routes within the Local or Regional Study Area that used to be used by community members/your ancestors in the past?

### Points of Interest

#### *Site-Specific (Mapping) Questions for the Study Areas*

1. Can you show us any points of interest (e.g., cache, dangerous area) or environmental features (e.g., esker, pond, lake, rapids, waterfall) that are important to you or your community?
  - a. Why is it important?
  - b. Who taught you about this site?
  - c. Do you or anyone in your community use this site today?
    - i. If so, how often?
    - ii. If not, why not?
2. Are there any sources of water (e.g., lake, river, creek, spring, artesian well, etc.) within the Local or Regional Study Area that you use for drinking water or for water for cultural or spiritual uses?

### Fish & Wildlife Use Areas

#### *Site-Specific (Mapping) Questions for the Study Areas*

7. Do you know of any specific locations or areas of good habitat or places that are important for wildlife (e.g., moose, caribou, birds), fish, or plants within the Local or Regional Study Area? These may include fish spawning areas, calving areas, mating areas, mineral licks, seasonal use areas, nesting areas, dens, etc.
8. Do you know of any routes used by wildlife or fish to migrate or move across an area within the Local or Regional Study Area?



**Appendix F**  
**Potential Impacts**  
**Question Guide**



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## Appendix F – Potential Impacts Question Guide

*The following question guide should be used to support the collection of perspectives on the potential positive or negative impacts of the project based on the information we have been asked to provide by provincial and federal regulators.*

### Potential Impacts & Cumulative Effects

1. Based on your understanding of the proposed Project, do you have any concerns that the Project may impact the following, and if so how:
  - a. Wildlife/animals?
  - b. Fish?
  - c. Plants?
  - d. Cultural or spiritual sites?
  - e. The natural environment, including air and water?
2. Do you think the proposed Project may impact (positively or negatively) the following, and if so how:
  - a. The availability of lands and resources for Indigenous uses (e.g., hunting, trapping, etc.)?
  - b. The quality of resources (animals, plants, fish etc.) available for Indigenous uses (e.g., hunting, trapping, etc.)?
  - c. Access to lands and resources for Indigenous uses (e.g., hunting, trapping, etc.)?
  - d. Culturally important sites and areas?
  - e. Your experience of being on the land?
  - f. Your ability to practice, teach and pass on your culture or language?
3. Do you think the proposed Project may have any other impacts on you or your community?
  - a. If so, what and how?
4. Do you think the proposed Project may contribute to any cumulative effects that have already impacted you or your community?
  - a. If so, what?

### Opportunities for Mitigation and/or Enhancement

1. Do you have any suggestions for how any potential negative impacts could be avoided or minimized, and if so how?
2. Do you have any suggestions for how any potential positive impacts on you or your community could be increased or enhanced, and if so how?



## Appendix G

# Study Report Template



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## Appendix G – Study Report Template

*The following study report template could be used to support reporting for your IK/ILRU study. The template has been developed based on the information we have been asked to provide by provincial and federal regulators. The MFFN Project Team recognizes that this template may need to be customized to suit the needs of your community.*

### 1. Introduction

*This is where you can provide an introduction to your community-specific Indigenous Knowledge and Indigenous Land and Resource Use (IK/ILRU) Study.*

#### 1.1 Project Description

Marten Falls First Nation (MFFN) is a remote First Nation community in northern Ontario located at the junction of the Albany and Ogoki Rivers, approximately 430 kilometres (km) northeast of Thunder Bay, Ontario. The MFFN community is currently only accessible by air and a winter road. Given the unreliability of the winter road, MFFN is proposing an all-season Community Access Road (the Project). The Project will connect MFFN to Ontario's provincial highway network (Highway 643) to the south via the existing Painter Lake Road.

#### 1.2 Regulatory Requirements

The information contained in this report will be governed by the IK Sharing Agreement and will help to inform the Provincial Environmental Assessment as outlined in the Approved Terms of Reference (ToR) and the Federal Impact Assessment as outlined in the Tailored Impact Statement Guidelines (the assessment processes). The assessment processes will assess both the potential Project effects and benefits and will inform Project planning and design.

### 2. Study Methodology

#### 2.1 Literature Review

*There is where you can include a description of a literature review that was completed for the IK/ILRU Study if applicable (include in references list in Section 10).*





## 2.2 Temporal and Spatial Boundaries

*This is where you can describe the temporal and spatial boundaries that your community used for your IK/ILRU Study if different than what is presented below. If your community uses different temporal and spatial boundaries, please provide the rationale.*

### 2.2.1 Temporal Boundaries

The following time periods were used to guide baseline information collection:

- **Past Use:** Land and resource use after 1947 (when the registered trapline system in Ontario was implemented) up to 2008 (when the landscape and local economy really started to change as a result of mineral discoveries).
- **Current Use:** Land and resource use from 2008 up to present day and into the reasonably foreseeable future.

### 2.2.2 Spatial Boundaries

The spatial boundaries for the IK/ILRU study were defined as:

- **Local Study Area:** 5 km of the centreline of the Route Alternatives and 5 km buffer around other project components (e.g., aggregate sources) and temporary infrastructure (e.g., construction camps, staging areas and stockpile areas).
- **Regional Study Area:** Combined area of the quaternary watersheds crossed by each of the Route Alternatives.

## 2.3 Data Collection Approach

### 2.3.1 Previously Collected Data

*Description of existing data that is relevant to the Project including maps/shapefiles. Please see IK Guidance Document for further information.*

### 2.3.2 Participant Selection

*Please include a description of how participants were selected considering GBA+ requirements and if and how different genders and age groups were factored into the selection of participants. Please see **Section 6.1** of the IK Guidance Document for further information.*





### 2.3.3 Data Collection

Please include a description of how data was collected (e.g., interviews, workshops, focus groups, etc.). Please see IK Guidance Document for further information.

### 2.4 Data Validation

Please include a brief description on how data and information was validated. Please see IK Guidance Document for further information.

## 3. [INSERT FIRST NATION] Lands

This where we are asking you to provide information on your First Nation lands that includes but is not limited to:

- Traditional Territory including a description and map if applicable
- Treaty Lands including information on your First Nation's unique Treaty history
- Reserve Lands including a description and map
- Specific and Comprehensive Land Claims

## 4. Community Culture and Lifestyle - Past and Present

This where we are asking you to provide information that was collected from the questions found in **Appendix D – Guidance for Collecting Information on Community Culture and Lifestyle (Past and Present)**. Including but not limited to:

- History of your community
- Important historical dates within your community
- Description of your traditional way of life
- Importance of land to the community and culture
- Description of seasonal land and resources use
- Description of an ordinary day for women, men, Elders, children, others
- Important cultural traditions and how they are taught and handed down
- Governance systems and traditional laws related to land use and management
- Changes over time within your community in terms of cultural practices, traditional governance, etc.
- What specific events or changes (e.g., dams, residential schools, day schools, reserve system, establishment of the registered trap line system, etc.) led or contributed to these changes in the traditional way of life and culture?





- *Important legends or stories that are significant and help explain your community's culture (including ties to the land and resources)*
- *Wild vs. Store Bought Foods (% from wild animals and plants compared to store bought food in the past versus present, etc.)*

## 5. IK/LRU Baseline Information

*This where we are asking you to provide information that was collected from the questions found in Appendix E – IK/ILRU Question Guide. The following sub-headings are based on the categories in the IK Guidance Document and on the need to collect both general (non-site specific information) and site specific information and are intended for guidance only. We recognize that you may prefer to organize your information differently.*

### 5.1 Animal Harvesting – Hunting & Trapping

#### 5.1.1 Non Site-specific Information and Indigenous Knowledge

- *May include information on: animals that are of cultural importance, general habitat needs of certain animals, how harvested animals are prepared and what they are used for (e.g., food, ceremonial purposes, etc.), observations of how animal populations have changed in terms of numbers of areas used, etc.*

#### 5.1.2 Information Specific to the Study Areas

- *Includes locations of Indigenous land and resource use within the Local or Regional Study Areas*
- *Includes locations of important environmental values (e.g., moose winter use areas, fish spawning areas, etc.) within the Local or Regional Study Areas*
- *Includes mapping of documented uses and values with any buffers for sensitive information as appropriate/where required*

### 5.2 Fish Harvesting (Fish and Fish Habitat)

#### 5.2.1 Non Site-specific Information and Indigenous Knowledge

#### 5.2.2 Information Specific to the Study Areas

### 5.3 Plant Harvesting (Vegetation)

#### 5.3.1 Non Site-specific Information and Indigenous Knowledge





### 5.3.2 Information Specific to the Study Areas

## 5.4 Cultural/Spiritual/Sacred Sites

### 5.4.1 Non Site-specific Information and Indigenous Knowledge

### 5.4.2 Information Specific to the Study Areas

## 5.5 Traditional Names/Place Names

### 5.5.1 Non Site-specific Information and Indigenous Knowledge

### 5.5.2 Information Specific to the Study Areas

## 5.6 Habitation

### 5.6.1 Non Site-specific Information and Indigenous Knowledge

### 5.6.2 Information Specific to the Study Areas

## 5.7 Travel

### 5.7.1 Non Site-specific Information and Indigenous Knowledge

### 5.7.2 Information Specific to the Study Areas

## 5.8 Points Interest

### 5.8.1 Non Site-specific Information and Indigenous Knowledge

### 5.8.2 Information Specific to the Study Areas

## 5.9 Fish and Wildlife Use Area

### 5.9.1 Non Site-specific Information and Indigenous Knowledge

### 5.9.2 Information Specific to the Study Areas





## 6. Potential Project-Related Impacts

This where we are asking you to provide information that was collected from the questions found in **Appendix F – Potential Impacts Question Guide**. This information can be described quantitatively or qualitatively. Information on impacts and or/ changes, both positive and negative, can include but is not limited to:

- Sites and areas (ha) used for traditional activities (hunting, trapping, fishing, gathering)
- Availability of lands and resources for traditional activities
- Quality of resources for traditional activities
- Access to lands and resources for traditional activities
- Loss of or change to culturally important sites and areas (e.g., ceremonial sites, sacred areas, place names, teaching sites)
- Sufficiency of lands and resources for cultural practices
- Experience of being on the land
- Changes to cultural traditions

## 7. Recommendations

This is where we are asking you to provide any preliminary recommendations or mitigation measures, and/or any other additional comments you would like to provide the MFFN Project Team to consider.

## 8. Summary of Impacts and Recommendations

This is where you can provide a summary of preliminary potential impacts and recommendations (e.g. mitigation measures) your community would like to highlight or raise with the MFFN Project Team.

Project Component	Potential Impacts to Environmental Resources	Potential Impacts to XX First Nation	Recommendations

## 9. Closure

This is where you could provide any other closing remarks your community would like to make.

## 10. References

Please include a list of references used in your IK/ILRU Study.





Miles, Jodi

## MFFN CAR: Overview of July 5th Phone Call

Miles, Jodi

Thu, Jul 11, 2024 at 1:03 PM

To: Sarah Beamish

Cc: Chief Elizabeth Kataquapit

, Deputy Chief Terry Meatawabin

Knut Kitching

Community Core Consultation Coordinator

, Cathleen Sutherland

, Andrea Nokleby

Ingrid

Trimble

, "Fisken, Avril"

, Lucia Jara Moreno

Bcc: MFFN Community Access Road Project Team

Good afternoon Sarah,

Thanks so much for taking the time to chat with me on Friday. I am sending this email to provide an overview of our conversation, and to provide some answers to your questions. I am still in the process of confirming some of the details regarding some of these topics, so I will follow up with additional information as it becomes available.

### Three Road Forum

During our phone conversation, we discussed Leo's attendance at the Three Road Forum. You noted that an Elder had made the comment about the MFFN CAR not being about mining, and shared the concern that this should not be the official messaging of the Project. I was wondering if you might be able to forward the minutes you were sent for us to review? Our team is still in the process of finalizing our minutes for the event, so I believe you likely received these from one of the other organizations that were involved in the forum. Regardless, I will track this concern moving forward.

### Archaeology Assessment Report

You mentioned that Fort Albany First Nation might have interest in meeting to discuss the Archaeology Assessment Report, and requested that I provide our team's availability for the week of the 15th and the 22nd. Unfortunately our team does not have availability for the week of the 15th, but could meet on the week of the 22nd during the following times:

- Wed, July 24 from 10:30am to 12pm EST
- Wed, July 24 from 2:30 to 3:30pm EST
- Thurs, July 25 from 1:30 to 2:30pm EST
- Fri, July 26 from 1 to 3pm EST

Please let me know if any of these times work, and if so, I will coordinate a meeting.

### IK Funding Agreement and IK Report

During our call, we discussed the next draft of the IK Funding Agreement, which you provided earlier that day. I can confirm that all of your suggested changes have been approved, and I have sent you a signed copy of the agreement in a separate email. If you could return a copy with Fort Albany's signatures, that would be great!

You also confirmed that the draft IK Report is currently with the FAFN team for review, as noted by Knut in his response to my last email. You noted that you may be able to provide a draft of this report to our team by the end of the month, depending on approval from Chief and Council. Please let me know if there have been any updates on this since we last spoke.

### Community Coordinator Program

We discussed the Community Coordinator Program, and you raised several concerns and questions with the program, including:

- Concerns that have been raised previously by the community regarding having an MFFN-staffed person involved in the process
- The question about whether the three-year timeline provided in the job posting was still accurate
- The concern about the 16 hour/week requirement, as you noted that this work is more sporadic, and that the community cannot guarantee 16 hours of work a week
- Concerns about the \$25/hour requirement, as you noted it would be difficult to hire somebody in the community for that level of compensation.

During our discussion, I noted that I believed there might be opportunities for the program to be more flexible regarding timelines, compensation, and what the funding can be used for, but noted that I would need to confirm with my team. You

requested that I provide something in writing speaking to this flexibility.

I spoke with my team about this, and we are currently in the process of trying to make changes to the Community Coordinator Program, in the hopes of making it more flexible. These changes are not yet finalized, so I am unable to provide details at this time. I am also unable to provide a timeline for when these details may be available, but I will provide them to you as soon as I can, should the changes be approved.

Should Fort Albany decide to sign onto the Community Coordinator Program in its current form, I can confirm that the MFFN CAR Project Team would not be involved in the hiring process of the Community Coordinator, and that reporting for the position can go through Fort Albany, as you mentioned. There are also two different payment options, the first of which would involve the MFFN CAR Project Team paying the Community Coordinator directly, and the second of which would involve the funds being sent to Fort Albany First Nation, for them to distribute to the Community Coordinator. These are efforts to keep the MFFN CAR Project Team at arms length from the Community Coordinator Position, in order to address the concerns related to communities having an MFFN-staffed person involved in the process. Should Fort Albany be interested in signing onto the Community Coordinator in its current form, I can provide more information about the payment options upon request.

I am attaching a more up to date job posting of the Community Coordinator job posting from 2023. We will also be updating this job posting in the near future, depending on the potential changes to the Community Coordinator Program. I will provide an updated job posting once it is available.

**ATRI Report**

I asked if Fort Albany First Nation still intends to provide comments on the ATRI Report, and you noted that they did. You shared that you may be able to get these comments to us this week - is there any progress on this?

Additionally, I wanted to confirm that we are certainly still accepting comments on this report past the original deadline, but that we cannot guarantee that any suggested revisions will be reflected in the draft EA/IS. They will, however, be reflected in the final EA/IS.

**Detailed Timeline**

During our discussion, you requested a more detailed timeline for the finalization of draft EA/IS, as well as the final EA/IS. I can confirm that we are currently anticipating that the draft EA/IS will be complete in November 2024. We cannot, however, provide a specific month for the completion of the final EA/IS at this time.

**In-Community Meetings**

Finally, you inquired about whether the MFFN CAR Project would have funding allocated toward in-community meetings with Fort Albany First Nation, should they express interest. I spoke with our Project Team, and I can confirm that, if the MFFN CAR Project Team attends, we can pay for meeting space rentals, meals prepared by the community, and door prizes and other meeting organization costs. Funding for technical advice to the community, however, would come from their own funding agreements with the Province.

Please let me know if I missed anything in this overview, or if you have any other questions or concerns. I will be in touch with additional information regarding these topics, once it becomes available.

Thanks,

Jodi Miles  
On Behalf of the MFFN CAR Project Team



**2023-03-07-MFFN Community Coordinator Job Posting.pdf**  
229K



## MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

# WE'RE HIRING!

Marten Falls First Nation (MFFN) is undertaking a federal Impact Assessment (IA) and provincial environmental assessment (EA) for an all-season access road to our community. To support these studies, we are looking to hire **Community Coordinators**.

**Are you a highly motivated person? Do you have strong organizational and relationship building skills? Would you like to work with a great project team and build experience in environmental management?**

### If so, this could be the role for you!

The Community Coordinator will be a primary point of contact between your community and the MFFN Project Team. We will work closely with you as you help to involve your community in the environmental assessment processes.

### Responsibilities

- Coordinate between the MFFN Project Team and community members living in / outside of your community as per your local practices and in collaboration with Chief and Council;
- Keep informed on Community Access Road Project activities (e.g., timelines, documents, events) and communicate relevant Project information to community members;
- Participate in meetings with the Project Team and other Community Coordinators;
- Provide support for community engagement activities related to the Project including:
  - Coordinate and organize logistics for meetings, workshops, events and / or school visits (e.g., book meeting spaces, order refreshments, help with truck / boat rentals and accommodations);
  - Help identify meeting participants and information providers (e.g., youth and / or elders);
  - Assist with meeting facilitation, note taking and meeting minute preparation, and coordinate translation services, if needed; and
  - Organize distributing Project advertisements and notices in your community; either online or in person (e.g., Facebook or posting in community);
- Assist in collecting data / information in your community (e.g., Indigenous Knowledge, community information and socio-economic information);
- Assist in reviewing draft documents, questionnaires or Project updates / information sheets.

**This position will receive \$25 per hour and is expected to be approximately 16 hours per week for up to 2 years. If you would like to learn more, contact Jennifer Bruin or Niki Angelis at [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca) or 1-800-764-9114.**



Miles, Jodi [REDACTED]

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## Revised Fort Albany First Nation IK funding agreement for approval

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**Miles, Jodi** [REDACTED] Fri, Jul 26, 2024 at 9:10 AM  
To: Sarah Beamish [REDACTED]  
Cc: Andrea Nokleby [REDACTED], Qasim Saddique [REDACTED], Bob Baxter [REDACTED]  
[REDACTED], Jennifer Bruin [REDACTED], Lawrence Baxter [REDACTED]  
Ingrid Trimble [REDACTED] Valdine Walker [REDACTED]

Good morning Sarah,

Thank you for sending along the finalized IK Funding Agreement. I will get Valdine (CC'd) to coordinate the first payment to Fort Albany.

Have a great weekend!

Jodi  
[Quoted text hidden]



Miles, Jodi &lt;[REDACTED]&gt;

---

## Fwd: Re: MFFN Community Access Road Stage 1 Archaeological Assessment Report

---

Miles, Jodi &lt;[REDACTED]&gt;

Tue, Jul 30, 2024 at 8:56 AM

To: Sarah Beamish &lt;[REDACTED]&gt;

Cc: Community Core Consultation Coordinator &lt;[REDACTED]&gt;, justin.page@firelight.ca

Bcc: Lucia Jara Moreno <[REDACTED]>, MFFN Community Access Road Project Team  
<info@martenfallsaccessroad.ca>

Good morning Sarah,

Thank you for following up. I have been in communication with the archaeology team about this, and I can provide a partial response to these questions at the moment. I will follow up with additional information as soon as I hear back.

The **Statement of Indigenous Engagement** was not provided to communities for review, as the purpose of this document is to be provided to the Ministry of Citizenship and Multiculturalism as a requirement of archaeological licensing.

I am still confirming information about the **Record of Engagement** document that is referred to in the Archaeology Assessment Report, but it is my understanding that this is an internal document which has also not been shared with communities (not to be confused with the Interim Record of Consultation and Engagement, which was shared with Fort Albany First Nation in 2022).

I can also confirm that IK from Fort Albany was not referred to or relied upon in this report.

I will follow up with any additional information I may receive about the Record of Engagement document. Please let me know if you have any follow up questions.

Thanks,

Jodi Miles

On Behalf of the MFFN CAR Project Team

[Quoted text hidden]

[Quoted text hidden]



Miles, Jodi <[redacted]>

---

## Fwd: Re: MFFN Community Access Road Stage 1 Archaeological Assessment Report

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Miles, Jodi <[redacted]>

Tue, Jul 30, 2024 at 1:25 PM

To: Sarah Beamish <[redacted]>

Cc: Community Core Consultation Coordinator <[redacted]>, [redacted]

Bcc: Lucia Jara Moreno <[redacted]>, MFFN Community Access Road Project Team <info@martenfallsaccessroad.ca>

Hello Sarah,

Just circling back on this. It turns out that there was a typo in the Archaeology Assessment Report, and that what is referred to as the "Record of Engagement" is actually the same document as the "Statement of Indigenous Engagement". The archaeology team has taken note of this error, and will revise the report to avoid future confusion.

To reiterate, this document was not shared with Fort Albany First Nation, as it is exclusively shared with the Ministry of Citizenship and Multiculturalism as a requirement of archaeological licensing.

Let me know if you have any further questions,

Jodi

[Quoted text hidden]



Miles, Jodi [redacted]

## Fort Albany First Nation IK funding agreement

Walker, Valdine [redacted] Tue, Jul 30, 2024 at 12:10 PM  
To: [redacted]  
Cc: Andrea Nokleby [redacted], Jodi Miles [redacted] >, 188898 [redacted]

Good morning,

I am assisting with the IK program funding and would like to confirm the preferred payment method of either a mailed cheque to the address below or a direct deposit payment. If the direct deposit is preferred could you please send me a copy of a void cheque at your earliest convenience.

[redacted]

Cheque Payable: Fort Albany First Nation

Thanks so much!



**Valdine Walker**  
Associate  
Dillon Consulting Limited  
[redacted]  
[www.dillon.ca](http://www.dillon.ca)

**[Advance Notice - Out of Office August 23 - September 3](#)**



Miles, Jodi &lt;[REDACTED]&gt;

## MFFN CAR July Project Updates

Miles, Jodi <[REDACTED]> Wed, Jul 31, 2024 at 3:39 PM  
To: Sarah Beamish <[REDACTED]>  
Cc: Knut Kitching <[REDACTED]>, Chief Elizabeth Kataquapit <[REDACTED]>, Deputy Chief Terry Meatawabin <[REDACTED]>, Community Core Consultation Coordinator <[REDACTED]>, Cathleen Sutherland <[REDACTED]>, Andrea Nokleby <[REDACTED]>  
Bcc: Lucia Jara Moreno <[REDACTED]>, MFFN Community Access Road Project Team <info@martenfallsaccessroad.ca>

Good afternoon Sarah,

I hope your summer is going well. I tried to give you a call earlier today and left you a voicemail about some project updates. I am sending this email to provide an overview about the topics I discussed.

### Stage 1 Archaeological Assessment Report

First, I wanted to remind you that feedback and comments for the Stage 1 Archaeological Assessment Report are requested by **August 2, 2024**.

The Stage 1 Archaeological Assessment Report documents the archaeological and land use history, to determine whether there is potential for archaeological sites in the additional areas required for aggregate impacts. It incorporates a review of recent mapping, previous archaeological reports, and incorporation of any information collected from Indigenous communities. The Stage 1 Archaeology Assessment Report was sent out to communities on June 3, 2024. The reports are available for download here: [REDACTED]

I know you had some questions about the report, which I provided a response to yesterday. Please let me know if you have any follow up questions, or if Fort Albany First Nation is still interested in setting up a meeting with our team to help walk you through the reports, answer any questions you may have or as an opportunity to provide feedback.

### Community Coordinator Program

I wanted to remind you that funding for the Community Coordinator program is still available, and to share some up to date information with you about the current program.

We are looking for a Coordinator to represent Fort Albany First Nation as the primary point of contact between the community and the MFFN CAR Project Team as we work through the Environmental Assessment processes. The Community Coordinator will provide advice, guidance and support for community engagement activities related to the Community Access Road and, at this stage in the EA / IA process, will focus much of their time preparing the community for the release of the Draft Environmental Assessment / Impact Statement in November and for coordinating the review of this and associated documents. A job poster is attached to this email to share with Community members.

This position will receive \$25 per hour and is expected to be approximately 16 hours per week for up to 1 year (up to Summer 2025). We are flexible with respect to payment terms (e.g., to an individual or to the band council) and are open to discussing what works best for your community. Please reach out to discuss.

### IK Report/Study information

I wanted to touch base with you and Knut about Fort Albany's IK Report, which was with the community for review the last time we discussed it. I believe you mentioned that a draft report may be available for the MFFN Project Team review by the end of July, so I wanted to check in to see if there is any update on this timeline. Let me know!

### ATRI Report

The last time we spoke you also mentioned that Fort Albany First Nation still intends to provide a response on the Draft Preliminary Aboriginal and / or Treaty Rights and Interests Existing Conditions Report. I wanted to follow up and see if there has been any progress with this.

If you have any other questions or concerns about the project, please do not hesitate to reach out!

Thank you,

Jodi Miles  
On Behalf of the MFFN CAR Project Team

--  
**Upcoming Vacation: August 14 - 23, 2024**



Jodi Miles  
Dillon Consulting Limited  
[Redacted]  
[Redacted]  
[Redacted]  
[www.dillon.ca](http://www.dillon.ca)

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 **2024-07-17\_Community Coordinator.pdf**  
925K



## MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

# WE'RE HIRING!



Marten Falls First Nation (MFFN) is undertaking a federal Impact Assessment (IA) and provincial environmental assessment (EA) for an all-season access road to our community. To support these studies, we are looking to hire **Community Coordinators**.

**Are you a highly motivated person? Do you have strong organizational and relationship building skills? Would you like to work with a great project team and build experience in environmental management?**

### **If so, this could be the role for you!**

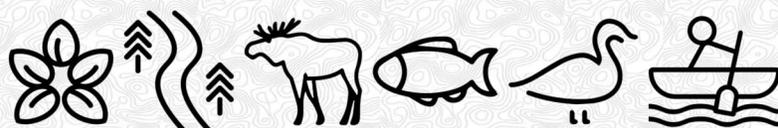
The Community Coordinator will be a primary point of contact between your community and the MFFN Project Team. We will work closely with you as you help to involve your community in the environmental assessment processes.

### **Responsibilities**

- Coordinate between the MFFN Project Team and community members living in / outside of your community as per your local practices and in collaboration with Chief and Council;
- Provide advice, guidance and support for community engagement activities related to the Project including:
  - Coordinate and organize logistics for meetings, workshops, events and / or school visits (e.g., book meeting spaces, order refreshments, help with truck / boat rentals and accommodations);
  - Help identify meeting participants and information providers (e.g., youth and / or elders); Assist with meeting facilitation, note taking and meeting minute preparation, and coordinate translation services, if needed; and
  - Organize distributing Project advertisements and notices in your community; either online (e.g., Facebook or posting in community);
- Assist in collecting data / information in your community (e.g., Indigenous Knowledge Aboriginal and / or Treaty Rights and Interests, community and socio-economic information);
- Assist in coordination of the review of the Draft Environmental Assessment / Impact Statement, and / or Aboriginal and / or Treaty Rights and Interests Reports.

**This position will receive \$25 per hour and is expected to be approximately 16 hours per week for up to 1 year (up to Summer 2025). If you or someone you know would like to learn more about the program, contact: Niki Angelis at [info@martenfallsaccessroad.ca](mailto:info@martenfallsaccessroad.ca) or 1-800-764-9114.**

## B6.2 Incoming Community Specific Correspondence



## Subject: Re: IK Program Key Milestone Date Reminder

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**Sarah Beamish** <[REDACTED]>

to MFFN Community Access Road Project Team

Thu, Jun 22, 3:57 PM

You are viewing an attached message. Dillon Consulting Limited Mail can't verify the authenticity of attached messages.

Hello,

Fort Albany is currently in a state of emergency and is being evacuated due to fire. Its IK work has had to be postponed multiple times, including due to an earlier evacuation due to flooding.

Fort Albany will engage with this process when it is able, but for the time being it is impossible to give a date for that.

Best,  
Sarah Beamish



Miles, Jodi [REDACTED]

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## Marten Falls First Nation Community Access Road Project Introduction Letter

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Guy Polden [REDACTED]

Fri, Nov 10, 2023 at 10:39 AM

To: "Miles, Jodi" [REDACTED]

Cc: Justin Page <[REDACTED]> Knut Kitching [REDACTED] >, Sarah Beamish [REDACTED]

Hi Jodi,

Could you please remove my name from the mailing list and replace it with my colleague Knut Kitching (CCed), who has assumed my role in working with FAFN.

Thanks so much,  
Guy

[Quoted text hidden]



Miles, Jodi <[REDACTED]>

---

## MFFN CAR Project Updates

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**Sarah Beamish** [REDACTED]

Fri, Nov 10, 2023 at 1:19 PM

To: "Miles, Jodi" [REDACTED]

Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED], Jacqueline Sutherland [REDACTED] >, [REDACTED], Guy Polder [REDACTED]

Hi Jodi,

Thank you.

Can you please ensure the list of baseline studies includes the schedule for when the studies were/are to be conducted?

Best,  
Sarah

[Quoted text hidden]



Miles, Jodi [REDACTED]

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## Milestone #2 Progress Report and ATRI Report reminders

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**Sarah Beamish** [REDACTED] Thu, Jan 18, 2024 at 4:19 PM  
To: "Miles, Jodi" [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED] Deputy Chief Terry Meatawabin [REDACTED]  
[REDACTED] Knut Kitching [REDACTED]

Good afternoon,

This is to confirm that FAFN will be providing comments on the ATRI draft report. While it is possible they will be submitted by the requested date tomorrow, it is more likely that the necessary internal review will require until next week.

FAFN will also be providing comments on the Milestone report.

Best,  
Sarah



Miles, Jodi [REDACTED]

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## Milestone #2 Progress Report and ATRI Report reminders

---

Sarah Beamish [REDACTED]

Fri, Jan 19, 2024 at 8:03 PM

To: "Miles, Jodi" [REDACTED]

Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED]

[REDACTED] Knut Kitching [REDACTED], Andrea Nokleby [REDACTED]

Community Core Consultation Coordinator [REDACTED]

Hello,

I understand that significant work on the study is scheduled for February, when Firelight Group will be making two in-person trips to Fort Albany First Nation. Leo Metatawabin (copied) is the main staff contact for this and will be working with them to coordinate.

Assuming no further disruptions to the travel plans (which have had to be rescheduled a number of times), I believe that Firelight Group anticipates a draft report could be ready in or around March. From there, there would need to be a community review and verification process, with any necessary changes made following that, before it is shared. I think spring/early summer is a reasonable estimate, but if things are again disrupted due to spring flooding this year, that may change. **Justin and Knut**, please feel free to add or correct me.

At Leo's direction, I am sending one preliminary comment regarding the ATRI report, in case anything further is likely to be done with this draft before Fort Albany's fuller comments can be shared. On page 20 of the report, a short version of the creation story as shared by the late Elder Simeon Scott is reproduced. This was drawn from a [1995 publication](#) and was not provided to the team directly by Fort Albany. Leo acknowledges that this story is already publicly available. However, as this story belongs to Omushkegowuk and Fort Albany First Nation, and Mr. Scott's particular telling of it may be significant for his family, Leo rightly considers this to be Traditional Knowledge and intellectual property that should not be published by the proponent team without consent, especially given member concerns and sensitivity regarding the surrounding context for this report. Leo intends to seek guidance from an elder member of Mr. Scott's family regarding the inclusion of this story in the report. However, unless and until consent is given to include it, the team should not use it in the draft report going forward.

Thank you and have a good weekend.

Sarah



Miles, Jodi [REDACTED]

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## Milestone #2 Progress Report and ATRI Report reminders

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**Sarah Beamish** [REDACTED] Tue, Jan 23, 2024 at 1:14 PM  
To: "Miles, Jodi" [REDACTED]  
Cc: Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED]  
[REDACTED], Knut Kitching [REDACTED], Andrea Nokleby [REDACTED]  
Community Core Consultation Coordinator [REDACTED]

Hello,

This is to update you that Fort Albany First Nation will now likely be submitting its comments next week, due to a death in the community this week.

Thank you,  
Sarah



Miles, Jodi <[REDACTED]>

## Milestone #2 Progress Report and ATRI Report reminders

**Knut Kitching** [REDACTED] Tue, Jan 23, 2024 at 1:30 PM  
 To: Sarah Beamish [REDACTED]  
 Cc: "Miles, Jodi" [REDACTED], Chief Elizabeth Kataquapit [REDACTED], Deputy Chief Terry Meatawabin [REDACTED],  
 [REDACTED] Andrea Nokleby [REDACTED] Community Core Consultation  
 Coordinator [REDACTED]

Thanks for providing that update Sarah, I'm sure all of our thoughts are with the community at this sad time.

Regarding timelines for the draft report, Sarah's timeline is correct - we're anticipating being in-community the week of Feb 5-9 conducting interviews which will be analysed and written up through the rest of Feb and March, whereupon a community review/verification process will need to take place. The timing of that will of course depend on the pace of our production and the availability of community for this review. As Sarah says I think we can anticipate reporting out in late April or May. We'll update this timeline ASAP in February when data collection is complete and we've got a handle of what we're working with.

Thanks

**Knut Tjensvoll Kitching, M.A., FRGS**  
**Senior Researcher, The Firelight Group**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Territory of x<sup>w</sup>məθk<sup>w</sup>əyəm (Musqueam), Skwxwú7mesh (Squamish) & səliłwətaʔ (Tsleil-Waututh).

[firelight.ca](http://firelight.ca) | [indigenoumaps.com](http://indigenoumaps.com)

The Firelight Group operates on a 4 day work week (Monday-Thursday).



Miles, Jodi [REDACTED]

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## MFFN CAR Project Updates

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**Sarah Beamish** [REDACTED]  
To: "Miles, Jodi" [REDACTED]

Mon, Mar 25, 2024 at 7:25 PM

Hi Jodi,

This is to acknowledge your email and confirm that I'll respond to it by Wednesday.

Best,  
Sarah

[Quoted text hidden]



Miles, Jodi [REDACTED]

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## MFFN CAR Project Updates

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**Sarah Beamish** [REDACTED]  
To: "Miles, Jodi" [REDACTED]

Wed, Mar 27, 2024 at 1:32 PM

Hi Jodi,

My apologies, but some other matters are occupying my day and I likely won't get back to you now until tomorrow.

Best,  
Sarah

[Quoted text hidden]



Miles, Jodi [redacted]

## MFFN CAR Project Updates

Sarah Beamish [redacted] Thu, Mar 28, 2024 at 5:07 PM  
 To: "Miles, Jodi" [redacted]  
 Cc: Chief Elizabeth Kataquapit [redacted], Deputy Chief Terry Meatawabin [redacted], Knut Kitching [redacted], Cathleen Sutherland [redacted]

Good afternoon Jodi,

I can confirm that FAFN currently has no comments on the Milestone #2 report.

FAFN does still intend to submit its comments on the ATRI report and I expect those will be approved for submission next week.

Yes, the IK collection has begun and I believe good progress is being made with it. I believe they are still on track for a late spring/early summer report, but **Knut Kitching**, copied, can confirm if there have been any changes to that timeline. Note that if spring flooding results in another evacuation of the community this year, that may have an impact.

Chief Kataquapit has agreed to sign the IK Funding Agreement, but FAFN has some proposed changes to the text of the agreement. Please see the track changes in the attached. Once your team confirms these are acceptable, we can have it signed promptly. The only information still to be inserted will be the delivery dates of the reports, once we hear from Knut.

Thank you for the climate change survey link. I will bring it to the attention of the FAFN staff member who would likely be responsible for responding to this.

Best,  
Sarah

|

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 **2024-03-28-REVISED-Indigenous Knowledge Program Funding Agreement\_FAFN.edits - MFFN edits(1)**  
**(1).docx**  
 44K



Miles, Jodi [redacted]

## MFFN CAR Project Updates

**Knut Kitching** [redacted] Thu, Mar 28, 2024 at 8:21 PM  
 To: Sarah Beamish [redacted]  
 Cc: "Miles, Jodi" [redacted] >, Chief Elizabeth Kataquapit [redacted], Deputy Chief Terry Meatawabin [redacted], Cathleen Sutherland [redacted], Community Core Consultation Coordinator [redacted]

Thanks Sarah,  
 We are on track with our report production here and are pulling together draft materials this month. I would anticipate the following schedule for their delivery:

- Preliminary maps/Data (GIS)/Draft Report, by no later than **April 30, 2024**
- Final IK Study Report and associated mapping/GIS files, by no later than **June 30, 2024**

The gap between these two deliverables is to provide time for Fort Albany review and validation/verification, and should provide some buffer to make adjustments if required.

Best,  
 Knut

**Knut Tjensvoll Kitching, M.A., FRGS**  
**Senior Researcher, The Firelight Group**

[redacted]  
 [redacted]  
 [redacted]  
 [redacted]

Territory of xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) & səliłwətaʔt (Tseil-Waututh).

[firelight.ca](http://firelight.ca) | [indigenoumaps.com](http://indigenoumaps.com)

The Firelight Group operates on a 4 day work week (Monday-Thursday).

[Quoted text hidden]



Miles, Jodi [REDACTED]

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## MFFN CAR Contact Information Inquiry

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Sarah Beamish [REDACTED]

Tue, Apr 9, 2024 at 11:17 AM

To: "Miles, Jodi" [REDACTED]

Cc: Chief Elizabeth Kataquapit [REDACTED] Deputy Chief Terry Meatawabin [REDACTED]

[REDACTED], Knut Kitching [REDACTED]

Hi Jodi,

Jacqueline Sutherland is no longer the CEO, so you can remove her.

Cathleen is the Interim CEO, and for now you should copy her on anything where you would have previously copied Jacqueline. However, she does not use the CEO email, she uses [REDACTED]

Best,  
Sarah



Miles, Jodi [REDACTED]

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## MFFN CAR Reminder: Three-Road Forum

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Community Core Consultation Coordinator [REDACTED]  
To: "Miles, Jodi" [REDACTED] Sarah Beamish [REDACTED]

Thu, Jun 6, 2024 at 3:21 PM

Hello Jodi

My name is Leo Metatawabin, and I will be representing Fort Albany First Nation to attend the Three-Road Forum next in Thunder Bay.

I will go ahead and make my travel arrangements asap because of the airline seating availability. And I will drive from Timmins to Thunder bay to avoid complications with air travel and customs.

My question is: will you be making reservations for me at the hotel of forum??  
Please let me know asap.  
Thank you

P.s. I'm hoping that Sarah Beamish will attend as well.

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Miles, Jodi <[REDACTED]>

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## MFFN CAR Reminder: Three-Road Forum

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Sarah Beamish [REDACTED]

Thu, Jun 6, 2024 at 6:27 PM

To: "Miles, Jodi" [REDACTED]

Cc: Community Core Consultation Coordinator [REDACTED], Andrea Nokleby [REDACTED],  
[REDACTED], "MacInnis, Paul (MINES)" [REDACTED]

Hi,

Can someone also clarify how travel costs are arranged? Is this on a reimbursement basis?

Thank you.

Sarah



Miles, Jodi [redacted]

**MFFN CAR Reminder: Three-Road Forum**

**EA Participant Fund (MINES)** <[redacted]> Fri, Jun 7, 2024 at 9:57 AM  
To: Sarah Beamish [redacted] com>, "Miles, Jodi" [redacted]  
Cc: Community Core Consultation Coordinator [redacted] Andrea Nokleby <[redacted] ca>, "EA Participant Fund (MINES)" [redacted], "MacInnis, Paul (MINES)" [redacted]

Hi Sarah,

Yes, typically it is addressed in a reimbursement format though the PFI agreements.

In many cases community members may get funds or make travel arrangements through the First Nation (using a purchase order of something of the like) and the First Nation is reimbursed through reporting on the agreements.

Consultants and other 3-party entities usually support their own travel and submit expenses also to be reimbursed via the agreements.

Hope that helps

**Jason Frechette**

Indigenous Liaison Officer | Ring of Fire Operations Unit

Ministry of Mines | Ontario Public Service



*Taking pride in strengthening Ontario, its places and its people*



Miles, Jodi [redacted]

## MFFN CAR - June Updates

**Knut Kitching** <[redacted]> Thu, Jun 27, 2024 at 3:21 PM  
 To: "Miles, Jodi" <[redacted]>  
 Cc: Sarah Beamish <[redacted]> Chief Elizabeth Kataquapit <[redacted]> Deputy Chief  
 Terry Meatawabin <[redacted]> >, Andrea Nokleby <[redacted]> Community Core Consultation Coordinator  
 Cathleen Sutherland <[redacted]>

Hi Jodi - re: Fort Albany First Nation's IK report - I'm happy to report that the draft is currently with the FAFN team for review, and Leo will be advising us on how he would like to proceed with a validation/verification process, whereupon we expect to make any final edits and pass a final copy to FAFN for release.

Thanks,  
 Knut

**Knut Tjensvoll Kitching, M.A., FRGS**

[redacted]  
 [redacted]  
 [redacted]  
 [redacted]

Territory of xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) & səliłwətaʔt̓ (Tsleil-Waututh).

[firelight.ca](http://firelight.ca) | [indigenoumaps.com](http://indigenoumaps.com)

The Firelight Group operates on a 4 day work week (Monday-Thursday).



Miles, Jodi [REDACTED]

---

## Meeting this afternoon re Fort Albany First Nation and MFCAR

---

Sarah Beamish [REDACTED]  
To: "Miles, Jodi" [REDACTED]

Thu, Jul 4, 2024 at 2:10 PM

Hi Jodi,

I've been asked by FAFN to keep my afternoon free for a possible time-sensitive meeting. Are you available tomorrow afternoon instead?

Thank you.

--  
Sarah Beamish (she/her), B.A., M.G.A., J.D.

[REDACTED]

*My working hours may not be your working hours. I don't expect a response outside your own work schedule.*

This message is intended only for the persons to whom it is addressed. It should not be read by or delivered to any other person, as it may contain privileged or confidential information. If you have received this message in error, please notify me immediately at [REDACTED]



Miles, Jodi [REDACTED] >

---

## Meeting this afternoon re Fort Albany First Nation and MFCAR

---

**Sarah Beamish** [REDACTED]  
To: "Miles, Jodi" [REDACTED]

Thu, Jul 4, 2024 at 2:33 PM

Hi Jodi,

3:00 should work for me, but if anything comes up tomorrow, I have good availability next week and I'm sure we'll easily find a time.

Thanks,  
Sarah

[Quoted text hidden]



Miles, Jodi [REDACTED]

---

## Revised Fort Albany First Nation IK funding agreement for approval

---

Sarah Beamish [REDACTED]

Fri, Jul 5, 2024 at 1:59 PM

To: "Miles, Jodi" [REDACTED]

Hello Jodi,

I have attached what is hopefully the final draft of the Indigenous Knowledge Program Funding Agreement document, without schedules.

There are the following changes since the last approved draft circulated, none of which I believe will be controversial given the approval by all parties of the substance:

1. Today's date has been added as the effective date (if you wish to change it to the date that all parties have signed, please change it and return it for re-signature).
2. The CEO information for FAFN has been updated.
3. The contact information for FAFN has been added.
4. The dates for delivery of the reports and maps have been added in (July 25 for preliminary and September 27 for final). The actual delivery dates may be different than these as I know FAFN is very close to finished with the preliminary drafts, but I believe details of the community verification process necessary before final drafts are shared are still being confirmed. I added in text saying "or such other dates as may be agreed on" to reflect some flexibility here, and will let you know if these dates need to change. Is that acceptable?

If either of the other signatories has issues with these changes, please let me know.

If this looks fine, please return a signed PDF with schedules attached, and I will promptly return a fully signed copy.

--

Sarah Beamish (she/her), B.A., M.G.A., J.D.

[REDACTED]

*My working hours may not be your working hours. I don't expect a response outside your own work schedule.*

This message is intended only for the persons to whom it is addressed. It should not be read by or delivered to any other person, as it may contain privileged or confidential information. If you have received this message in error, please notify me immediately at [REDACTED]



**2024-07-05-NO.SCHEDULES.Indigenous Knowledge Program Funding Agreement.docx**

39K



Miles, Jodi [redacted]

## Revised Fort Albany First Nation IK funding agreement for approval

Sarah Beamish [redacted] Thu, Jul 18, 2024 at 5:47 PM  
 To: "Miles, Jodi" [redacted]  
 Cc: Andrea Nokleby [redacted], Qasim Saddique [redacted], Bob Baxter [redacted]  
 [redacted] Jennifer Bruin [redacted], Lawrence Baxter [redacted]  
 Ingrid Trimble [redacted], Valdine Walker [redacted]

Hi Jodi,

Thank you. See signed copy attached.

Sarah

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

---

 **2024-07-18-Indigenous Knowledge Program Funding Agreement - fully signed.pdf**  
338K

# Subject: Re: MFFN Community Access Road Stage 1 Archaeological Assessment Report



**Sarah Beamish** [REDACTED]

Thu, Jul 25, 11:30 AM (4 days

to MFFN Community Access Road Project Team, Community Core Consultation Coordinator, Justin Page ▾

You are viewing an attached message. Dillon Consulting Limited Mail can't verify the authenticity of attached messages.



Good morning,

To assist FAFN with providing comments on this report, can you please clarify if the portions of the Statement of Indigenous Engagement and Record of Engagement relating to FAFN that are referred to in this report have been shared with FAFN? Can you also clarify if there are any other sources of Indigenous Knowledge from FAFN referred to or relied upon in this report, and if so, what those sources are?

Thank you.

Sarah



Miles, Jodi <[REDACTED]>

---

## Fwd: Re: MFFN Community Access Road Stage 1 Archaeological Assessment Report

---

Sarah Beamish <[REDACTED]>  
To: "Miles, Jodi" <[REDACTED]>

Mon, Jul 29, 2024 at 5:20 PM

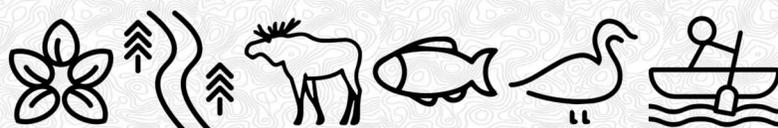
Hi Jodi,

Given the upcoming requested date for comments this week, can you ensure someone sends a response to this ASAP? This information will affect FAFN's response.

Thank you.

Sarah

## B6.3 Draft Aboriginal and / or Treaty Rights and Interests Preliminary Existing Conditions Report





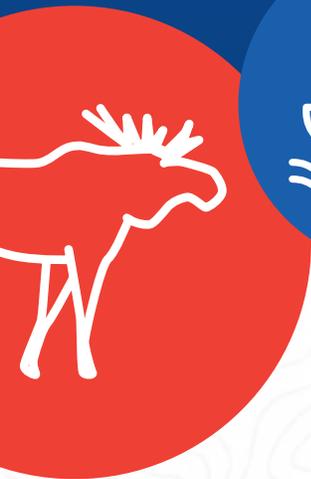
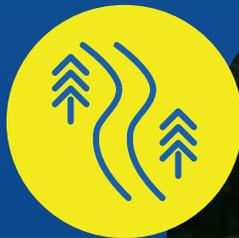
Fort Albany First Nation

Marten Falls First Nation

# Aboriginal and / or Treaty Rights and Interests: Preliminary Existing Conditions Report

Marten Falls First Nation Community  
Access Road Project

**WORKING DOCUMENT**



## Contacts

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Website: [martenfallsaccessroad.ca](http://martenfallsaccessroad.ca)

**Andrea Nokleby, Project Consultant**

Email: [REDACTED]

Phone: [REDACTED]

**November 28, 2023**

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# Introduction



Marten Falls First Nation is the Proponent of a proposed all-season Community Access Road (the Project). The Project would connect the community to the Ontario provincial highway network (**Figure 1-1**). The Project is subject to the federal *Impact Assessment Act* and the *Ontario Environmental Assessment Act* and associated regulatory processes. As part of these regulatory processes, the Proponent is required to assess the potential impacts of the Project on the rights and interests of Indigenous peoples, including on Aboriginal and / or Treaty Rights which are recognized and affirmed in Section 35 of the *Constitution Act, 1982*. The Project Team is currently consulting with 23 Indigenous communities, including Marten Falls First Nation, who may have Aboriginal and / or Treaty Rights and Interests that have the potential to be adversely impacted by the Project. As a First Nation Proponent, constitutionally protected rights are of the upmost importance and significance to Marten Falls First Nation.

The purpose of this *Preliminary Aboriginal and / or Treaty Rights and Interests Existing Conditions Report* is to:



Share our current understanding of rights and interests within the Project area specific to each Indigenous community;

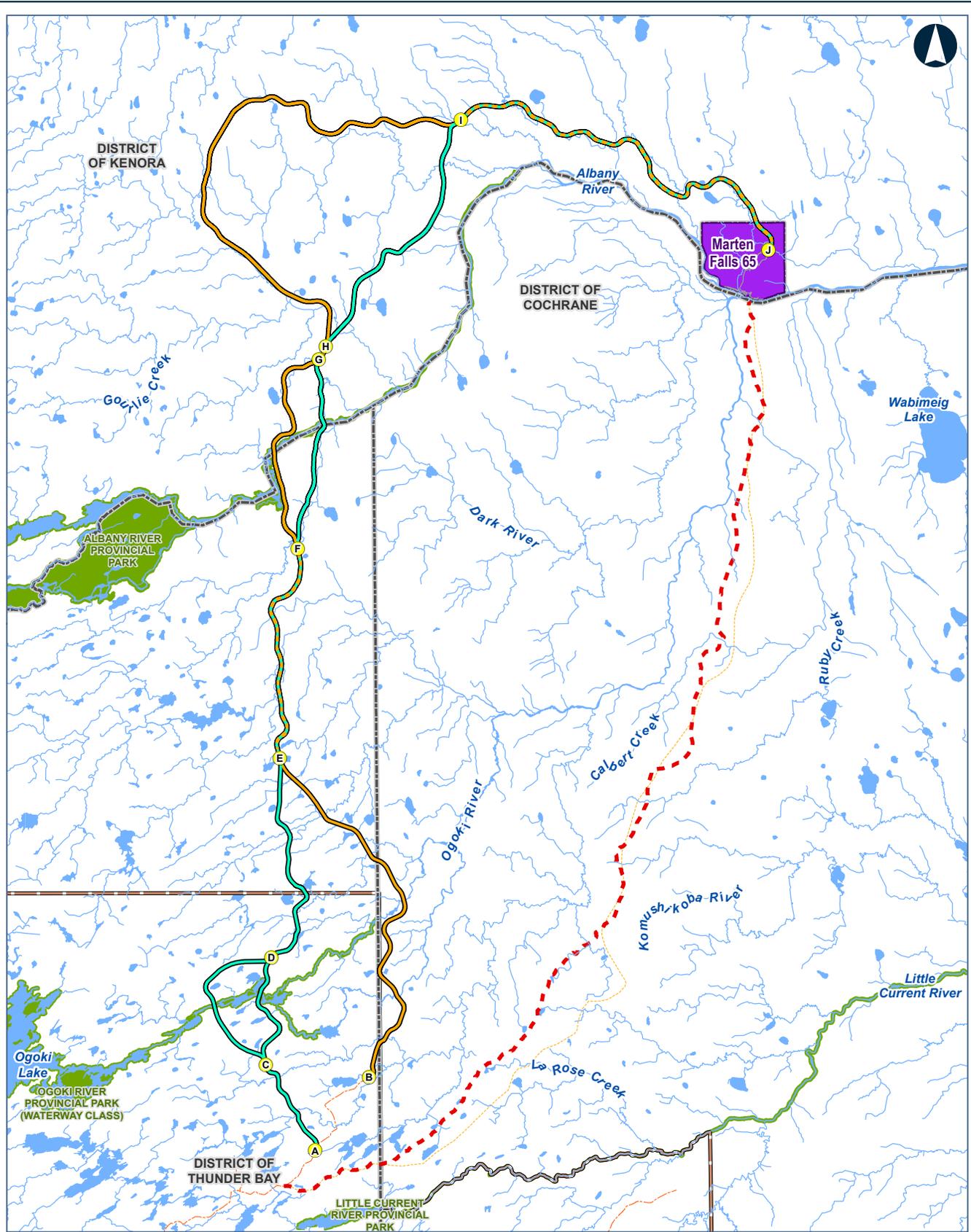


Provide our understanding of how rights are currently being exercised within the Project area; and



Seek your review and feedback on our current understanding.

The report begins with background information about the proposed Project and Aboriginal and / or Treaty Rights and Interests, and why it is so important to have a strong understanding of rights and interests relevant to the proposed Project (**Section 1**). This is followed by our understanding of the historical and regional context with respect to Aboriginal and / or Treaty Rights and Interests and how they have been cumulatively impacted to date (**Section 2**). The next section includes our understanding of your community today, including Aboriginal and / or Treaty Rights and Interests that have the potential to be impacted by the proposed Project (**Section 3**). The report concludes with an overview of the next steps in the regulatory processes and how Marten Falls First Nation will continue to work with Indigenous communities on assessing the potential impacts of the Project on the Aboriginal and / or Treaty Rights and Interests of Indigenous peoples (**Section 4**).



**Legend**

- Route Alternative Node
- - - Existing Winter Access Road
- Provincial Park
- Route Label**
- Alternative 1
- Alternative 4
- Alternative 1 and Alternative 4
- General Features**
- Local Road
- Winter Road
- Resource / Recreation Road
- Railway
- Watercourse
- First Nation Reserve
- Far North Boundary
- District Municipal Boundary
- Waterbody

Date Source: Base Data Provided by MNRF 2019; Route Infrastructure - Provided by AECOM 2019. Contains information licensed under the Open Government Licence Ontario.

**DRAFT**

**MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD**

Project Overview



Datum: NAD 1983 CSRS UTM Zone 16N

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**Figure 1-1**

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## 1.1 Imagining Access – Why the Project?

The Project will offer Marten Falls First Nation the opportunity to grow as a community but also be part of the social and economic fabric of the region and country. The Community Access Road will reduce transportation costs for goods and services, making food, gas, and other supplies cheaper. It will help families be together in the community and increase social interactions with other communities. It will also provide a vital connection to emergency, health, and social services.

The development of the Community Access Road will mean that Marten Falls First Nation can begin to forge partnerships with businesses and governments to grow social and economic development opportunities. Opportunities will mean more training and jobs for youth in the region. In the near future, Marten Falls First Nation members will be able to work from their home community and spend or save their hard-earned money at the nearest urban centres. The road will also allow for the continuation of Marten Falls First Nation people on the land because community members will be able to access the lands and waters at a fraction of the price it is now for transportation.

Presently, many Marten Falls First Nation members, especially the youth, have migrated to the cities and towns in search of a better life. It only makes sense that they get a chance at a better life right in their own territory. The Community Access Road will support Marten Falls First Nation in repatriating their members and youth, and in continuing to honour their role as stewards of the lands, waters, and resources as their ancestors did.

## 1.2 Aboriginal and Treaty Rights and Interests Overview

For the purpose of this report, Aboriginal and Treaty Rights and Interests are defined as follows.

**Aboriginal Rights** refer to the collective rights to practice traditions and customs that distinguish the unique culture of Indigenous groups and societies, which have been practiced since prior to European contact. These rights are grounded in the recognition of the status of Indigenous groups and societies as the original peoples of Canada, and their continued use and occupation of the land since before European contact; these rights flow to the descendants of Indigenous groups and societies on this basis. Aboriginal rights are not specifically defined under Section 35 as they can vary from group to group depending on the customs, practices and traditions that have formed part of their distinctive cultures, but they may include (CIRNAC, 2023):

- Indigenous title or ownership rights to land;
- Right to occupy and use lands and resources, such as hunting and fishing rights;
- Self-determination and self-government rights; and
- Cultural and social rights.



**Treaty Rights** are rights that are set out in historic and modern treaty agreements, including Treaty 9 and the Robinson-Superior Treaty, where the proposed Project is located. Treaties define specific rights, benefits, and obligations for the signatories of them, and vary depending on the time and circumstances in which they were negotiated (CIRNAC, 2023).

**Aboriginal Interests** refer to all requirements relating to Indigenous peoples required by both the federal *Impact Assessment Act* and the *Ontario Environmental Assessment Act*. In addition to an assessment on potential impacts to Section 35 Aboriginal and Treaty Rights, Interests also include impacts under federal jurisdiction with respect to Indigenous peoples, including impacts on (i) physical and cultural heritage, (ii) current use of land and resources for traditional purposes, (iii) any structure, site or thing that is of historical, archaeological, paleontological or architectural significance, and any change occurring in Canada to the health, social or economic conditions of Indigenous peoples in Canada (IAAC & BCEAO, 2022). Therefore, Interests include those identified by Indigenous groups with respect to potential economic, social, health, heritage, or environmental effects of the proposed Project, which may or may not be directly related to specific Aboriginal and / or Treaty Rights.

Note: Interests related to Aboriginal and / or Treaty Rights only are presented in this **Preliminary Existing Conditions Report**. Interests that are not specifically related to Aboriginal and / or Treaty Rights are presented in the existing conditions reports prepared by other disciplines (e.g., Socio-Economic, Land and Resource Use). Relevant information prepared by other disciplines will be used to inform the assessment on Aboriginal and / or Treaty Rights and Interests.





### 1.2.1 What is the Aboriginal and / or Treaty Rights and Interests Assessment Process?

The assessment of the potential impacts of the proposed Project on Aboriginal and / or Treaty Rights and Interests is intended to be flexible and adaptable. The impact assessment process is generally undertaken as a series of seven steps (IAAC, 2022), as shown in **Figure 1-2**. Steps may need to be revisited and revised based on inputs from, and the specific context of, potentially affected Indigenous communities.

Dialogue (and ideally collaboration) with Indigenous communities throughout the process enables modifications to the process, if and as needed, and promotes a holistic understanding and consideration of Indigenous community needs, protocols, rights, and interests.

It is important to note that the steps of the Aboriginal and / or Treaty Rights and Interests impact assessment are not completed in isolation of each other (i.e., step 1 does not need to be fully completed before moving onto the next step). This is because of the interconnectedness of the steps, the iterative nature of the process, the volume of information that is collected during the process, and the dialogue with Indigenous communities throughout the process.

**Figure 1-2:** Aboriginal and / or Treaty Rights and Interests Impact Assessment Process





The Marten Falls First Nation Project Team is currently working through Steps 1 to 3. This **Preliminary Existing Conditions Report** is a working document that has been developed based on dialogue with and inputs received from Indigenous communities to date and an extensive literature review of publicly available documents. By sharing this Preliminary Existing Conditions Report, we are wanting to work with Indigenous communities to validate, build on and / or revise our understanding of:

- Aboriginal and / or Treaty Rights and Interests relevant to the proposed Project (Step 1);
- The context in which impacts on these rights and interests have already occurred, and how the proposed Project may further impact rights and interests (Step 2); and
- The guiding values and topics associated with community well-being, cultural expression, and the preferred means of exercising rights (Step 3).

The next steps in the Aboriginal and / or Treaty Rights and Interests Impact Assessment process is to collaborate with Indigenous communities to grow the Proponent's understanding of:

- Pathways of potential impacts from the proposed Project (Step 4);
- Anticipated levels of impact that the Project may have (Step 5); and
- Measures and / or actions that can be taken to address potential impacts including the associated pathways (Step 6).
- The final step (Step 7) is to engage with communities to validate the outcomes of the Aboriginal and / or Treaty Rights and Interests Impact Assessment.





### **1.2.2 Proposed Study Areas for the Aboriginal and / or Treaty Rights and Interests Assessment**

Study areas identify the geographic areas within which potential effects of the Project may occur. These study areas are used to guide the data collection and assessment processes.

The Project has both a general Study Area and a Project Development Area which are defined as follows:

- Project Study Area- includes the area within 2.5 km of each side of the centreline of each alternative route (resulting in a 5 km wide Study Area). The preliminary Study Area generally allows for the documentation of existing conditions and prediction of potential effects for the Project. A 5 km wide Study Area provides flexibility for route refinements that may arise during the Environmental Assessment process through advancement of design (e.g., adjustment of the road alignment to avoid features). The specific location of Project components, including the roadway, quarries, borrow areas, aggregate source areas and temporary infrastructure, are not yet known and will be determined in the Environmental Assessment.
- Project Development Area – encompasses the 100-metre-wide Community Access Road right-of-way, temporary construction access roads, work areas, worker camps, and pits, quarries and associated access roads.

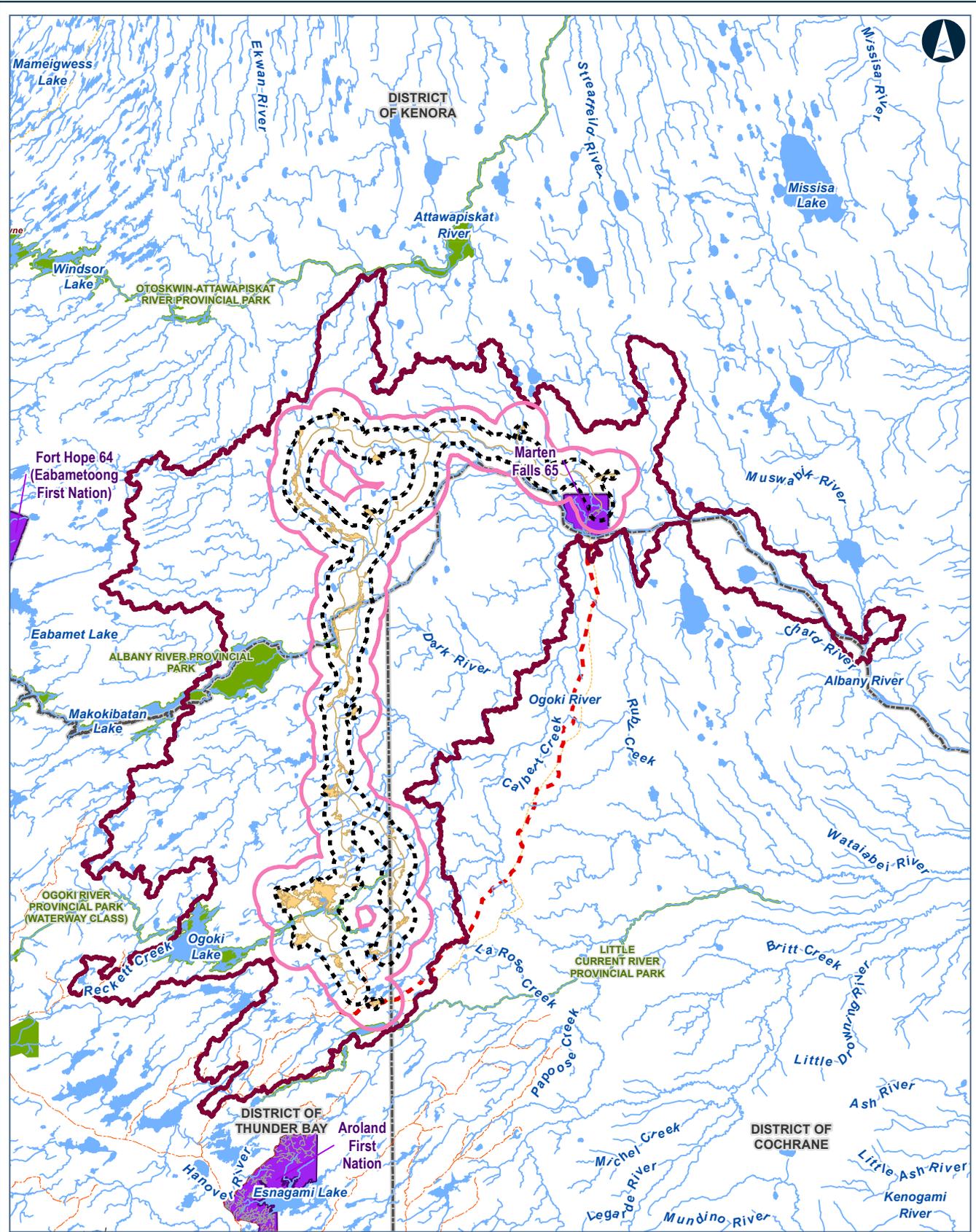


In addition to the Project Study Area and the Project Development Area, study areas have been identified for the Aboriginal and / or Treaty Rights and Interests assessment. Information on the proposed study areas for the Aboriginal and / or Treaty Rights and Interests impact assessment and associated requests for input have been previously shared with all potentially affected Indigenous communities, as follows:

- **August 2020:** The Project Team shared the Preliminary Aboriginal and / or Treaty Rights and Interests Study Areas Memo with Indigenous communities for review and comment.
- **September 2020:** The Project Team received valuable feedback from Indigenous communities on the preliminary study areas.
- **January 2021:** The Project Team revised the proposed study areas for the assessment based on feedback received and distributed an Update on the Proposed Aboriginal and / or Treaty Rights and Interests Study Areas Memo outlining the changes and requesting any feedback.
- **August 2022:** The Project Team revised the proposed study areas based on changes to the proposed Project Development Area for the Project. Changes to the Project Development Area resulted to changes in the proposed Local Study Area for the Aboriginal and / or Treaty Rights and Interests assessment only; there were no changes to the proposed Regional Study Area for the assessment. An Update on the Proposed Aboriginal and / or Treaty Rights and Interests Study Areas Memo, outlining the changes and requesting any feedback, was distributed to Indigenous communities.

The current study areas for the Aboriginal and Treaty Rights and / or Interests assessment (as of September 2023) are shown in **Figure 1-3**.





**Legend**

Project Study Area	General Features	First Nation Reserve
ATRI Local Study Area	Local Road	District Municipal Boundary
ATRI Regional Study Area	Winter Road	Waterbody
Project Development Area	Resource / Recreation Road	Provincial Park
	Existing Winter Access Road	
	Railway	
	Watercourse	

**Notes:**  
1. Local and Regional Study Areas are Preliminary.

**Data Source:**  
Base Data: Provided by MNR 2019; Route Infrastructure - Provided by AECOM 2019. Contains information licensed under the Open Government Licence Ontario.

**MARTEN FALLS FIRST NATION  
COMMUNITY ACCESS ROAD**

Study Areas for the Aboriginal and Treaty Rights and Interests Impact Assessment

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**Figure 1-3**

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## 1.3 A Shared Understanding – Working Together

Marten Falls First Nation is committed to developing a shared understanding of Aboriginal and / or Treaty Rights and Interests within the assessment study areas. The Project Team recognizes that there are things that may have been missed or misunderstood with respect to community Aboriginal and / or Treaty Rights and Interests, and the intent in preparing and sharing this **preliminary report** is to encourage the community to validate, build-on, and /or correct any misunderstandings.

This report sets the stage for the Project Team’s understanding of community Aboriginal and / or Treaty Rights and Interests and will be foundational to the impact assessment that will be completed in the future. By understanding the Aboriginal and / or Treaty Rights and Interests of communities in relation to the proposed Project, the Project Team will be better positioned to have informed conversations with potentially impacted Indigenous communities and their members.

It is the objective of the Project Team to avoid, mitigate or reduce potential negative impacts associated with the proposed Project while enhancing potential positive impacts related to Aboriginal and / or Treaty Rights and Interests.





# Historical and Regional Context



The culture, knowledge, and history of Indigenous peoples is passed down through oral stories and accounts from generation to generation. The following chapter presents an historical and regional overview of the Indigenous peoples in the region. The information presented below was collected from written academic articles, journals, and other publicly available documents, many of which were informed by oral history. Indigenous authors and publishers were sought where possible to capture a more authentic understanding of the history, culture, rights, and interests of Indigenous peoples, both pre- and post-contact, and how Indigenous peoples and their rights and interests have been cumulatively impacted to date.

Note: the term “Indian”, which is the historical term used by the Crown for First Nations peoples in Canada, is used throughout **Section 2** when referencing historical documents and associated content.

## 2.1 Pre-Contact Context

**Section 2.1.1** to **2.1.6** describe aspects of the societies of Indigenous peoples of the region prior to more consistent contact with Europeans (pre-contact), which occurred in the mid- to late-17<sup>th</sup> century.

The Indigenous peoples of what is now known as northern Ontario primarily consisted of the Anishinaabeg (which translates to ‘Original People’) and the Cree peoples (The Canadian Encyclopedia, 2023).

The Anishinaabeg in this region of Ontario have been referred to as the Northern Ojibwa. The Cree people of this region are known as the Omushkegowuk (‘People of the Muskeg’). Throughout **Section 2.1.1** to **2.1.6**, ‘Indigenous peoples’ refers to the Anishinaabeg and the Omushkegowuk peoples of the region specifically, unless otherwise stated. Information on the community as it is today – is provided in **Section 3**.



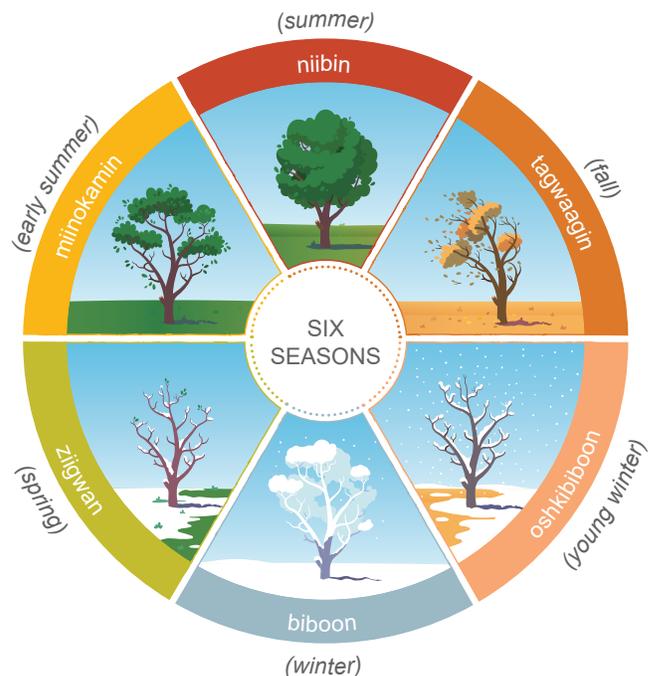


### 2.1.1 Seasonal Lifeways

Indigenous lifeways are typically shared and nurtured through culture, language, stories, and ceremony, and rooted in place and sacred relationship with the Earth, sky, sun, plants, animals, and water (Robertson, 2023). Prior to contact, Indigenous peoples lived their lives following the animals they hunted and according to the seasons. As noted by Davidson-Hunt and Berkes (2003), the Anishinaabeg have six seasons:

- *Ziigwan* (spring);
- *Miinokamin* (early summer);
- *Niibin* (summer);
- *Tagwaagin* (fall);
- *Oshkibiboon* (young winter); and
- *Biboon* (winter).

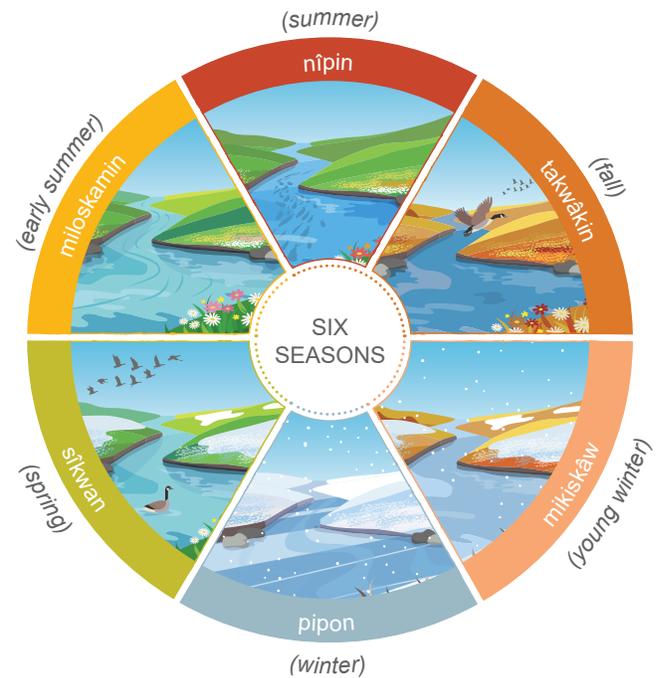
The seasons were denoted according to changes in the landscape. For example, *tagwaagin* begins when the leaves start to change colour and fall from the trees and turns into *oshkibiboon* when all the leaves have fallen off the trees and the first snows have fallen, while *biboon* turns to *ziigwan* when the ice on the lakes begin to melt and break up (Davidson-Hunt and Berkes, 2003).





The Omushkegowuk have described six seasons with several seasons reflecting the yearly melting and freezing of the waterways given their reliance on lakes and rivers for their livelihoods (Honigmann, 1948; Six Seasons of the Asiniskaw Īthiniwak, n.d.):

- *Sīkwan* (breakup, translates to “rattling feathers” because the geese fly in and it sounds like rattling);
- *Miloskamin* (spring, translates to “good moving water”);
- *Nīpin* (summer, translates to “gifts from the water” because of the fish that are offered);
- *Takwākin* (fall, translates to “gathering up” because e this is the season in which birds and people prepare for the coming winter);
- *Mikiskāw* (freeze-up, translates to “plenty of beads” because of the forming frost); and
- *Pipon* (winter).



Both the Anishinaabeg and the Omushkegowuk used the moon cycles to mark temporal dynamics of seasonal change, and to provide a more standardized way to note the passage of time during the year (Davidson-Hunt and Berkes, 2003; Six Seasons of the Asiniskaw Īthiniwak, n.d.).

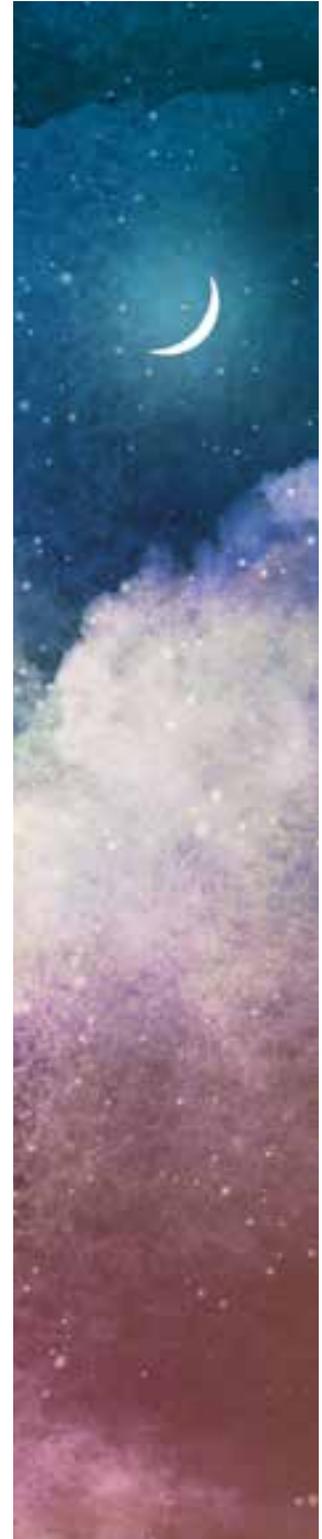




Indigenous peoples of the region were hunters and gatherers who travelled seasonally, following the important resources that sustained them in each season. They used birch bark canoes, rafts, snowshoes, and toboggans for easier travel depending on the season (Long, 2010). A rich variety of foods were available, including birds (e.g., duck, goose, and partridge), big game (e.g., bear, deer, moose, and caribou), furbearers (e.g., beaver, muskrat, marten, and wolverine), and fish (e.g., whitefish, pickerel, pike, trout and sturgeon) (Dawson, 1976; Long, 2011; Long *et al.*, 2017). Indigenous peoples also gathered berries, plants, medicines, and fuels (Long, 2011). *Manoomin* (wild rice) was an important staple food among the Anishinaabeg in the Great Lakes region (Desmarais, 2019). Kuhnlein and Turner (1991) noted that plants used in the Hudson Bay Lowlands, further north, included: the roots and sweet sap of large tamarack trees; rock tripe lichen; angelica (wild celery); wapato (arrowhead); the shoots, roots, and stems of fireweed; cattails; wild onions; and, the buds of juniper and spruce trees. Early accounts indicate that the Ojibwegowuk spent much of the year pursuing game over large areas in the north, while areas to the south provided food the Anishinaabeg were able to harvest in large quantities including fish, deer, moose, and caribou, requiring less travel (Bishop & Smith, 1975).

The division of labour was based on gender. The men were hunters and trappers (and butchers prior to returning to the group), and makers of toboggans, sleds and snowshoe and wigwam frames. The women fished and hunted and trapped small game, gathered plant foods and medicines, collected firewood, prepared meals, and created material goods for family and trade, in addition to their child caregiver duties (McMillan and Yellowhorn, 2004, as cited in Soloway, 2015). The role of women in preparing geese for future use by drying and smoking, and in preparing feathers and quills for sale, was especially important among the Ojibwegowuk, (Lytwyn, 2002).

Indigenous lifeways were intimately tied to the family (Long, 2010). The social organization consisted of community groups composed of immediate and extended families, which may have inhabited single or several drainage basins. Settlements consisted of small habitation sites and associated hunting camps (Dawson, 1987). Up to ten families lived and shared together, typically a group of brothers and their wives and children (Bohaker, 2020), depending on the season and circumstances (Long, 2011). Families resided in cone-shaped wigwams made of wood and moss, covered in moose or caribou hides (MFFN & OMNRF, 2020).





When studying traditional Omushkegowuk (Attawapiskat) land tenure, Cummins (1992) reported that two to five Omushkegowuk families lived and travelled together as a ‘microband’, and up to 15 families connected as a ‘macroband’. The macrobands in the region were aware of each other as they completed their seasonal rounds (Cummins, 1992).

Communities would come together in the summer, usually at a lake or shore within the territory where food was abundant; these areas were occupied annually for extended periods by clustered groups (Dawson, 1987). Summer gatherings were the largest, and hundreds of people (sometimes over a thousand) from several ‘bands’ would assemble for visiting, trade, marriage negotiations and to discuss issues of common concern (Leacock, 1981; Bohaker, 2020).

Small camps used on a temporary basis by community members to harvest resources in both summer and winter were also present around the larger summer gathering sites. Groups would disperse in the winter to their hunting areas (Dawson, 1987), and each family had a hunting territory (Oldmixon, 1931, as cited in Long *et al.*, 2017). According to anthropologist Edward Rogers (1963), hunting ranges (territories) were loosely managed and hunting groups returned to the same general area each year. Trapping was done mostly for subsistence as the hunter-gatherer lifestyle required seasonal movement to avoid resource depletion (Rogers, 1963).

Indigenous land use, cultural practices, and settlement systems were shaped primarily by the seasonal cycles of the region. During the summer, time was spent fish harvesting and drying, berry picking and drying, and collecting materials for building homes and utility items including wigwams, snowshoes and fish baskets (MFFN & OMNRF, 2020). Furbearer snaring and small bird hunting was also common (Long *et al.*, 2017). Summer was also a time for traditional gatherings for ceremonies including marriages, feasts, new friendships, naming ceremonies, and celebrations for community members who passed away (MFFN & OMNRF, 2020).

Fall was spent preparing for the winter hunting camps and season. This involved preserving food and preparing hides, making any utility items needed (e.g., moccasins and snowshoes), and making sure the dogs were fattened up for the coming winter sledding when it was time to move to the winter





areas (O mushkego Education & OCCC, 2006; MFFN & OMNRF, 2020). Fish were an important source of food during this time (O mushkego Education & OCCC, 2006), as were a variety of birds including waterfowl, grouse, and ptarmigan (O mushkego Education & OCCC, 2006; Long *et al.*, 2017). Caribou and moose provided additional sources of food during this time (O mushkego Education & OCCC, 2006).

During the early winter or freeze up, travel was limited until the rivers and streams were frozen and fishing and trapping were important for sustenance (O mushkego Education and OCCC, 2006). Winter was a prime time for hunting caribou and trapping furbearers (Long *et al.*, 2017). Winter gave people freedom as they could travel all over the land, and not worry about food spoiling (MFFN and OMNRF, 2020).

Breakup and spring (early summer) brought warmth. Areas for new shelters away from winter homes were scouted to prepare for the spring hunt (MFFN and OMNRF, 2020). Among the lowland O mushkegowuk, the spring harvesting of goose and duck was significant and was seen as a celebration for the survival of the family through the harsh winter conditions (Cummins, 1992). Canoes were used as a mode of travel as the waters of the rivers and streams started to flow again (O mushkego Education & OCCC, 2006). After the ice breakup was a time for fish harvesting and drying, and muskrat hunting and trapping (MFFN & OMNRF, 2020).





### 2.1.2 Culture and Worldview

Indigenous peoples of the region practiced a cultural way of living. The culture was, and continues to be, grounded in relationships with and knowledge of the environment, and shared through oral stories and practices (MFFN & OMNRF, 2020). When Europeans started to travel into the region, many viewed the land as something to be explored, owned, developed, and used for profit – this view was in contrast to the Indigenous’ world view that the land and its resources is something to be shared, cared for, and honoured (Tsuji & Tsuji, 2021). From an Indigenous way of life, Indigenous peoples did not own the land; they were connected to it and depended on its generation and empowerment of all life, including the intangible aspects like culture, language, and dream (Tsuji & Tsuji, 2021). Indigenous worldview and identity were, and continue to be, grounded in intimate relationships with the land and the natural world, and the principles of kinship, respect, reciprocity, and responsibility (Bell, 2013; Guido, 2021).

The perspectives of many Indigenous peoples were, and continue to be, rooted in a recognition of the inter-relation of all of creation – everything is considered to be connected, like the strands of a spider’s web (Bell, 2013). Moreover, many Indigenous peoples’ beliefs on the origin of humankind framed their perspectives on relationships between humans and other beings: plants and animals inhabited the land before humankind and assisted humans when they arrived on earth (Johnston, 2005; Luby *et al.*, 2021); and, all things in the natural world are valuable and equal (Simpson, 2000a).







was taken or received, something had to be given back to give thanks. Gifts were offered for successful hunts and harvests; these included specific offerings that were often very private to the individual or group but they also entailed actions to sustain the life of a moose or caribou population from which they hunted (Tapestry Institute, n.d.).

- Indigenous stories also indicate important responsibilities to ensure healthy and balanced relationships with Creation. Anishinaabe teachings describe the gifts that each person is born with and responsibility of each person to “use their gifts to the best of their ability for the good of the community, and for the good of creation” (Bell, 2013, p. 103).

The perception of environments as social-ecological systems is an underpinning of an Indigenous worldview, and the spatial and temporal dynamics of the land were included in both memory and language (Davidson-Hunt & Berkes, 2003). As noted by Davidson-Hunt and Berkes (2003), Anishinaabe ways of remembering can be described as an experience of journeying within the land that is situated in both space and time: the journey is structured temporally according to the practices, seasons, moons, and ceremonies that mark of the passing of time and life stages, and spatially based on what is encountered and observed. This is evident in Indigenous place names, which provide a mental image of how a particular place in the landscape looks, how it relates to other places, and what occurred or might be found at the place (e.g., *Aagimakobawatig* describes a place where black ash grows beside a rapid). As noted by Berkes et al. (1998), the Anishinaabe notion of “land” is more akin to the concept of “ecosystem” but with the added dimensions of peoples, their culture and their history.

In addition to providing sustenance, the lands, waters, and their resources provided, and continue to provide, spiritual connection and well-being. Everything could be considered alive – both animate and inanimate objects were believed to have a spirit life (Simpson, 2000a). Many Anishinaabeg understood the world to be inhabited by spiritual beings known as *manidoos*, and these were known to be associated with places and seasons (Johnston, 2005). Moreover, the spiritual world was believed to exist as parallel world or plane of existence that could be accessed through prayer





or ceremony or that could manifest when it decided to do so (Honour the Earth, 2017). These beliefs remain an important part of Anishinaabe culture today.

In Anishinaabe culture, Johnston (2005, p. 17) describes that “there is an ongoing relationship between the Dead and the Living; between Ancestors and Descendent.” It was considered the obligation of the living to bury their relatives in a proper manner (in marked graves with commemorative and symbolic items placed on them) and in a proper place (in their place of origin and/or near their ancestors), and to protect them from disturbance or desecration; failure to do so was thought to harm both the dead and the living (Johnston, 2005). Many Anishinaabe believed that bodies have several souls: one of them remains in the bones after death and only leaves when it is “recycled” into a descendant; the other leaves the body after death and travels to rejoin other relatives who have died (Johnston, 2003, as cited in Bohaker, 2020). Feasting to celebrate the dead (Feast of the Dead) was important for the care and protection of deceased souls (Johnston, 2005). The feasts also had a function of perpetuating alliances among kin and initiating alliances with outsiders (Bishop, 1976). Based on available records, the Jesuit missionaries were “mystified by the care and attention that Aboriginal people showed toward their dead” (Johnston, 2005, p. 8).

Prior to contact, Indigenous lifeways were based on a deep connection with the lands and all its inhabitants. As noted by Cajete (2000), “Native people expressed a relationship with the natural world that could only be called ensoulment” (p. 186). They spent so much time on the land, interacting with the natural world, that “their landscapes became reflections of their very souls” (Cajete, 2000, p. 187). The mutual relationships between, and the value of, all things in the natural world (including celestial bodies, spirits, and natural forces), as well as the need for balance among them, were recognized and honoured (Honor the Earth, 2017).





### 2.1.3 Language

Indigenous culture is rooted in language (Wastesicoot, 2015). Both the Anishinaabeg and Omushkegowuk are Algonquian in terms of their language group, one of the most populous and widespread Indigenous linguistic and cultural groups in North America.

*Anishinaabemowin* (Ojibwe) was the language of the Anishinaabeg, while the Omushkegowuk spoke *Inilîmowin* (Swampy Cree).

Both languages are considered polysynthetic, which means that they have long, compound words to express complex meanings that would require many words, or even an entire sentence, in other languages (Oxford, 2019). A typical word is made up of several, or many small parts, with a variety of combinations that mean different things. For example:

- *Boozhoo* (“hello”) in *Anishinaabemowin* acknowledges the original spirit of *Nanaboozhoo*, and also conveys the process of using the breath of life (“*boo*”) to express the feeling of life (“*zhoo*”) (Horton, 2021); and,
- The *Inilîmowin* word *niwanahikân* means “I am setting my traps” (Omushkego Education, 2016).

Both *Anishinaabemowin* and *Inilîmowin* also organize their nouns according to animacy: whether the noun is referring to a living thing like a human or animal (animate) or an object (inanimate); this is analogous to the use of masculine and feminine nouns in French, just on a different axis. However, some non-living objects, like drum and tobacco, are treated as animate, and this may have to do with the spiritual significance of these objects (Oxford, 2019).

There was no written form for the Ojibway and Cree languages prior to contact, though European missionaries later created a system of writing (OCCC, 1986). By the early 1800s, European traders noted that a mixed Cree-Ojibway dialect was spoken by Indigenous people who lived in territories shared by the Lowland Cree and Northern Ojibway, where mixing and intermarriage was common (Lytwyn, 2002); this became what is today referred to as *Anishiniimowin* (Oji-Cree).

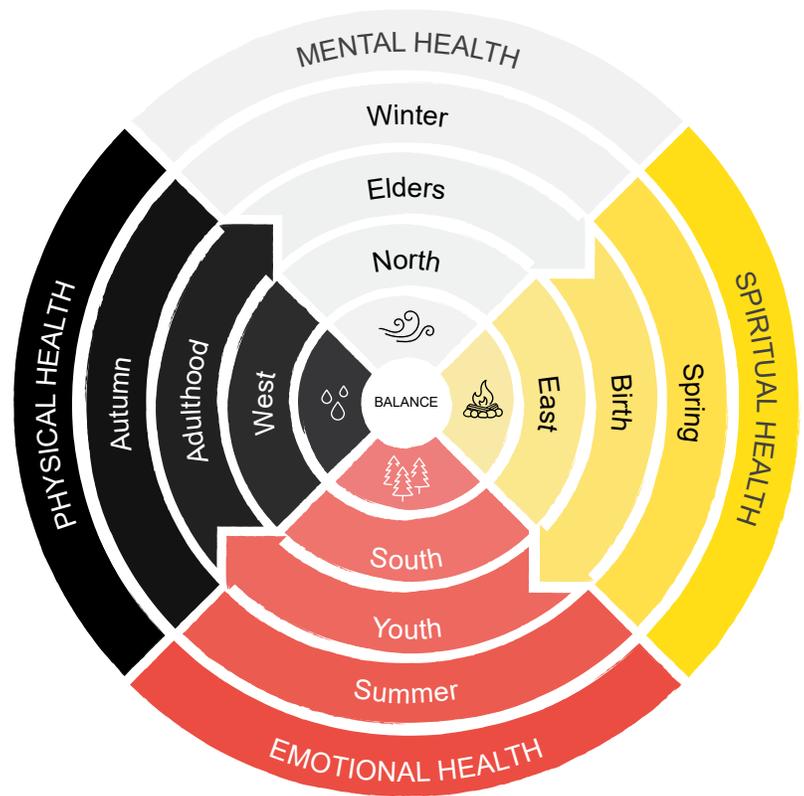




### 2.1.4 Learning and Knowledge Building

Indigenous educational traditions have been described as holistic whereby the learning process had to address the whole person, including the intellectual, spiritual, emotional, and physical dimensions (RCAP, 1996a). The process of learning and knowledge building among Indigenous people was considered a life-long process rooted in personal experience, ceremony, reflection and sharing (Simpson, 2000b), and recognition and honouring of the relationships with and within the natural world (McGregor, 2013).

Rituals, storytelling, and harvesting and gathering practices out on the land were foundational for conveying worldviews and handing down instructions for maintaining balance in the natural and spiritual worlds through the generations (Honor the Earth, 2017). As described by Johnston et al. (2018), Indigenous knowledge “originates in oral sources (conversations, stories, traditional teachings) in the day-to-day practices of Indigenous peoples according to Indigenous worldviews and including insights from the spirit world” (p. 4). The knowledge-transfer activities of rituals, ceremonies, storytelling and practices on the land were often directly tied to the place the knowledge relates to (Honor the Earth, 2017); that is, Indigenous knowledge sharing was not only relational in nature but also place-based.





Leanne Simpson (2000b) explored Anishinaabe ways of learning and identified a variety of important learning modalities, including dreaming, ceremonies, learning by doing (experiential learning), and storytelling. Dreaming, visioning, and ceremonies were considered important paths for knowledge transmission from the spiritual world to humans (Simpson, 2000b). Being on the land was considered critical for experiential learning, and young people learned how to participate by practicing the tasks and skills they would need to perform as adults (Antoine *et al.*, 2018). Learning by observation was an important component of experiential learning. The Anishinaabeg often relied on plants, animals, and spiritual entities as teachers, each offering gifts and lessons of caring and sharing that were accessed through careful observation (Simpson, 2000b). For example, plants and animals could offer lessons based on where and when they grow, how they multiply, how they provide food for others, and who they prefer the company of, and who they avoid (Raven *et al.*, 1998, as cited in Simpson, 2000b).



Storytelling was an important way to teach principles and values. There were various forms of stories, including stories of origin, sacred stories, stories of personal experience, and stories that convey laws, responsibilities, morals, values and life lessons, all of which were grounded in one's intimate relationship with the land (Fontaine, 2020). In oral tradition, storytellers may impart their own life and experience when telling stories, and the listeners filtered stories through their own experiences and reflective thinking to make them relevant to their own lives (Peltier, 2021). The meaning that was drawn from a story may depend on who was telling it, and the circumstances in which it was told in terms of time, place, and situation of the telling. Storytelling tradition is non-linear and cyclical in perspective. Time can be represented in different ways; while stories find their origins in the past, they can also speak to the present (RCAP, 1996b).

As described by Anishinaabe educator David Anderson (2002), traditionally children were often raised by their immediate and extended families, and taught the “big story” and the abstract messages of Anishinaabe being from infancy. Generally, children learned to listen and observe, and they watched as the community worked together to ensure the survival of all; role modelling was an important aspect of teaching (Bell, 2013). Children were expected to take the abstract concepts, morals, and values they were exposed to through storytelling, and develop them into their own meaningful relationships with all elements of the natural and spiritual world (Anderson, 200 2; Bell, 2013).





### 2.1.5 Governance and Legal Principles

Both the Anishinaabeg and the Omushkegowuk had their own forms of governance in place prior to contact with Europeans. As noted by Anishinaabe legal scholar John Borrows (2002), Indigenous peoples developed spiritual, political, and social conventions to guide relationships with each other and the natural environment, and “these customs and conventions became the foundations of many complex systems of government and law” (p. 47). Leadership among the Indigenous peoples in the region was observed to be markedly different from European societies, and European observers were “impressed by the lack of rigid, hierarchical political order among the Indians” (Lytwyn, 2002, p. 20).

The Anishinaabeg were traditionally governed by a hereditary clan system, the *Doodemaag*. Early accounts from the late 17<sup>th</sup> century indicate that the Anishinaabeg constituted their governments as *doodem* (clan) beings who met in council, and specific *doodem* beings took on responsibility for roles and places (Bohaker, 2020). *Doodems* were most often animals, but they could also be a tree or a *Manitou* (e.g., thunderbirds, mermen, underwater *manidoos*), and they tied people to specific places those *doodems* inhabited (Corbiere, 2019). Anishinaabe historian William Warren noted that Northern Ojibway *doodems* included Sucker, Goose, Beaver, Sturgeon, Gull, hawk, Cormorant, and Whitefish (Lytwyn, 2002). Each animal symbolized an ideal to be sought (Johnston, 1987). For example, “the leadership role in councils that was undertaken by members of the Loon *doodem* was visually reinforced by the fact that the common markings of loons has markings around its neck, resembling the wampum shell collars that leaders wore to indicate their status and political role” (Warren & Neill, 1885, as cited in Bohaker, 2020, p. 61).

The *doodem* was the foundation of Anishinaabe identity, exemplified by the fact that Anishinaabe leaders meeting in council signed colonial documents with imaged representing their *doodem* identities (Bohaker, 2020). Individuals were born into their *doodem*, which came from the father’s side of the family (Bohaker, 2020). However, people could be adopted into a willing clan when seasonal cycles led to movements inland or upriver that led to a summer identity and a winter identity (Witgen, 2013, as cited in Corbiere, 2019). Marriages often functioned as micro-alliances that brought different *doodemag* together, sometimes from considerable distances away, for important social and political connections.





Given the role marriage had as an alliance-making institution, it was reinforced by a taboo against marrying someone from within the same *doodem* (Bohaker, 2020).

Each *doodem* had its own leadership system (common council), which may have involved an *ogimaa* (chief), an *aanikeogimaa* (second chief, deputy), and *gichi-Anishinabek* (elders, councillors), all of whom were leaders of their own *indinaakonigewin* (those whom one overwintered with, a group of usually 20-40 people) (Miller, 2010). In addition to these leaders, women's councils and warrior councils served to advise and significantly influence decisions. Each of these councils also had leaders (Bohaker, 2020). According to Miller (2010), women's councils were a central component of Anishinaabe governance, and women had defined political roles. One woman, an *ogimaakwe* or chief woman, would present the results of the women's council findings to the men during gatherings (Miller, 2010). Women could also hold the role of the *ogimaa* (Bohaker, 2020). Warrior councils had a responsibility to protect their people (Bohaker, 2020).

Historically, common councils met regularly and were responsible for local affairs, including where and what to hunt, where family groups reside through the seasons, settling conflicts and disputes in the community, and family alliances (Bohaker, 2020). Both women's and warrior councils provided common councils with advice on these matters (Bohaker, 2020). General councils between common councils occurred at least annually if not semi-annually, as part of the seasonal round. General councils were places at which alliances between common councils were established and renewed (Bohaker, 2020).

As noted by Bohaker (2020), leaders were expected to be generous with their wealth and "good leaders accumulated wealth in order to give it away" (p. 139). Their intended role was as "stewards" who took care of the people and the land. Leadership was not absolutely hierarchical and individuals could hold several leadership roles, with their status depending on their own personal gifts, expertise, and their *doodem* (Bohaker, 2020). Governance practices were primarily consensus-based through councils and alliances (Bohaker, 2020); this is reflected in Anishinaabe oral histories that demonstrate consultative and consensus-based leadership models through story (Borrows, 2010). Common practice was for leaders to exercise their authority *with* their community, not *over* them (Mills, 2019). *Doodem* kin ties could create and sustain lateral connections between different councils, and reinforce the political principle of interdependence through alliance (Bohaker, 2020).



Anishinaabe *aadizookaanag* (sacred stories) explain the origins of the *doodem* tradition: human beings are descended from, and therefore kin to, the other-than-human beings who are their *doodem*. To share a *doodem* was to be immediate kin. Indigenous worldview on kinship may be reflective of the idea of shared souls rather than shared blood, and “understanding this distinction is critical for understanding the concept of personhood in Anishinaabe law” (Bohaker, 2020, p. 53).

The governance structure of the Anishinaabe people was formalized through the *Niswi-mishkodewinan* (Three Fires Confederacy) of the Ojibway (Chippewas), Odaawa and Potawatomi Nations. The three groups shared similar languages and territories, and met for military and political purposes. Each group had a distinct role in the confederacy: the Ojibway were the providers and knowledge keepers of medicine and faith, the Odaawa were the warriors and keepers of trade, and the Potawatomi were the firekeepers who took care of the three fires (nations) and made sure they were strong. The fire was central to the governance structure, and continues to be so to this day (Anishinabek Nation, 2023a; Anishinabek Nation, 2023b).

While the Omushkegowuk did not have a clan system like that of the Anishinaabeg, they did have a kinship system where the family was the major self-governing unit, and extended family were involved to support each member in living up to their responsibilities (RCAP, 1996c; Wastesicoot, 2015). Elders served various functions based on their skills, including as storytelling historians, advisors, and counsellors to young people and others (Wastesicoot, 2015).





The Omuškegowuk had a leadership structure with *okimâw* (leaders) who were respected for their ability to make good decisions with respect to hunting practices and rules (Lytwyn, 2002). The *okimâw* were not intended to rule with force or dictate the lives of those who followed them, but rather, they were expected to display leadership based on their life skills, experience, and wisdom (Lytwyn, 2002), and their exemplary connection with the land, knowledge of the animals (Preston, 1990, as cited in Brekes *et al.*, 1991). They did not have the right to impose decisions on others – leadership was meant to be consultative (Lytwyn, 2002), and decisions were accepted by consensus (Preston, 1990, as cited in Brekes *et al.*, 1991). Similarly to the *ogimaa* of the Anishinaabeg, generosity, compassion, and a strong capacity to care for others were important attributes of *okimâw* (Wastesicoot, 2015). Heredity was noted to be an important factor, with leadership observed to be passed down from fathers to sons (Lytwyn, 2002). However, leadership roles were not necessarily inherited, and the *okimâw* remained as leader as long as they were able to maintain the respect of community members; if they lost this, the next person with high standing could assume the leadership role (Mandelbaum, 1979, as cited in Wastesicoot, 2015).

Women played an important role in the kinship system and decision-making processes of the Omuškegowuk (Walker, 2021). Historically, women in Cree society were the keepers of all stories and laws. McAdams (2015) notes that within Cree culture existed the clan mothers or warrior women whose role was to provide the legal “system” of the Cree people, and they were respected for their ability to show compassion and care for the people. Women were highly respected for their sacred role as bearers and teachers of future generations, and they were not only in charge of the ‘household’, but also the well-being of the community (Hookimaw-Witt, 2006). The knowledge of men and women was often considered complementary, and both were important for leadership. As noted by Hookimaw-Witt (2006), in Cree society, while the men had more knowledge about resources in the hunting territory, women had more knowledge about the resources they harvested and managed (small mammals, fish, and plants). Thus, in the realm of Cree politics, both genders had decision-making powers in their own domains, and through interactions with the other gender’s decisions (Hookimaw-Witt, 2006). In addition, in both Anishinaabe and Mushkegowuk cultures it was women who were historically the voice for water, as both hold the important role of giver of life (Chief of Ontario, 2008; Chiblow, 2020).





Borrows (2002) suggests that “Indigenous laws originated in the political, economic, spiritual and social values expressed through the teachings and behaviour of knowledgeable and respected individuals and elders” (p. 13), and their principles are expressed through the stories, ceremonies, and traditions of Indigenous peoples across the country (Borrows, 2002). The instructions, laws, and ethics conveyed in Indigenous stories guided people on how to conduct themselves (McGregor, 2013). As noted by Borrows (2002), oral histories may inherently express Indigenous laws as they represent the accumulated wisdom and experiences of Indigenous peoples’ conflict resolution. They record patterns of past disputes and their solutions while allowing for re-creation to meet emerging needs more easily, and do not depend on finding the first telling of the event, as common law does (Borrows, 2002).

The requirements for maintaining harmonious relationships among all beings have been referred to as Indigenous ‘natural law’ (McGregor, 2013). Among the Anishinaabeg, understanding the natural world as kin, as brothers and sisters, was a critical piece to Anishinaabe law (Fontaine, 2020). This is reflected in the sacred law of *Nda-Nwendaaganag* (all my relations), which acknowledges that all things in the universe are gifts from the Creator and have meaning and purpose. Further, all things are interconnected and important to one another, and respect is afforded to all of Creation (Anishinabek Nation Legal Department, 2018).





According to oral history, it is said that sacred or natural law was given to the Anishinaabeg by the Creator through their *Mino-Bimaadiziwin* (way of living the good life), language, philosophies, and ceremonies (Watts, 2010). *Mino-Bimaadiziwin* is representative of the relationship that the Anishinaabeg have with everything around them, and the understanding that everything is alive, and everything is related (Bell, 2013). It is a traditional legal principle rooted in all Anishinaabeg (Anishinabek Nation Legal Department, 2018). *Mino-Bimaadiziwin* was expected to be lived according seven original (ancestral) teachings that provide guiding principles for the way in which individuals are to treat each other and the natural environment (Bell, 2013; Seven Generations Education Institute, 2021):



***Debwewin*** (truth) – To speak only to the extent we have lived or experienced. Represented by the turtle as the turtle was here during the creation of Earth and carries the teachings of life on his back.



***Gwayakwaadiziwin*** (honesty) – To live correctly and with virtue. Represented by either the raven or the sabel (sasquatch) as they both understand who they are and how to walk in their life.



***Dabasendiziwin*** (humility) – To think lower of oneself in relation to all that sustains us. Represented by the wolf, who lives for his pack and the ultimate shame is to be an outcast.



***Zoongide'ewin*** (courage) – To live with a solid, strong heart. Represented by the bear. The mother bear has the courage and strength to face her fears and challenges while protecting her young. To face life with courage is bravery.



***Manaaji'idiwin*** (respect) – To go easy on one another and all of Creation. Represented by the buffalo as the buffalo gives every part of his being to sustain the human way of living, and respects the balance and needs of others.



***Nibwaakaawin*** (wisdom) – To live with vision. The beaver represents wisdom because he uses his natural gift by altering the environment for his family's survival.



***Zaagi'idiwin*** (love) – Unconditional love between one another including all of Creation, humans and non-humans. The eagle represents love because he has the strength to carry all of the teachings.



The Omushkegowuk shared similar natural law and legal principles. *Wahkotowin* (having relations to all) was a central aspect of Cree natural law, and speaks to the interconnectedness of all things (Cardinal, 2007). According to the late Cree scholar and lawyer Harold Cardinal (2007), *Wahkotowin* is one of the most comprehensive doctrines of law among Cree people, and it contains a subset of laws (values) that establish principles that govern the conduct and behaviour of individuals within the family environment, within their communities, and with others outside the community. These principles are enshrined in the seven sacred teachings, or the seven sacred laws (Wastesicoot, 2015):



*Pakwaynamatowin*  
(sharing);



*Sahkiwewin*  
(love);



*Kistenchikewin*  
(respect);



*Kiskentamowin*  
(wisdom);



*Tapatenimowin*  
(humility);



*Tapwewin*  
(honesty); and,



*Sokenimowin*  
(courage).

Similar to the Anishinaabe concept of *Mino-Bimaadiziwin*, the Cree concept of *Mino-Pimatisiwin* represents the cyclical nature of life and provides guidance on how to live in a good way with oneself, their community, and the natural world (Gaudet & Chilton, 2018). Connection to the land is central to the concept of *Mino-Pimatisiwin* (Gaudet & Chilton, 2018), as is respecting natural law.

### 2.1.6 Resource Management and Stewardship

Communal management of resources was a common feature of many Indigenous resource-use systems (Berkes, 1989, as cited in Berkes *et al.*, 1991). Resources were considered the property and responsibility of all, and those that utilized them in an area were considered “stewards” who oversaw community norms and rules about their use, which were often comprehensive (Berkes *et al.*, 1991). Collective, consensus-based decision making and enforcement of agreed-upon rules among group members was often the norm (Feit, 1986, as cited in Berkes *et al.*, 1991).



Feit (2004) suggests that some form of hunting territories likely existed among Algonquian hunters in the northern Boreal areas. This would have enabled them to respond to disruptions caused by larger-scale forest fires, and / or resource depletions where groups displaced by these disturbances would have sought to resettle on lands used by adjacent groups of hunters and their families. In his study of hunting territories among the Northern Ojibwa, Bishop (1970) suggests that prior to settlement of interior northern Ontario by traders in the 1770s, hunting groups remained large throughout the year and moved *en masse* within a roughly defined region. Available records indicate a gradual stabilization of hunting groups in certain regions around major lakes and waterways following settlement in the region. By the late 1850s, there were fully developed hunting territories in the upper Albany River drainage area (Bishop, 1970). Leacock (1954, as cited in Bishop, 1970) suggests that the emergence of defined hunting areas held by family units after contact was driven by:

- Increasing scarcity in resources due to overharvesting, forcing bands to split into family units;
- Increasing access to store foods, enabling family units to be more self-sufficient;
- Weakened cooperative bonds among band members as economic ties were transferred from within the group to the trader;
- Non-migratory furbearers could be efficiently exploited by small family units;
- Preference among traders for dealing with individuals rather than groups; and,
- Hindered mobility with increasing dependence on single trading posts.



Within the literature, most available information on pre-contact land and resource management among the Indigenous peoples of northern Ontario pertains to the James Bay Cree, as these were among the first Indigenous peoples in northwestern North America to come in contact with Europeans. Comparatively, there is little information available on the social and economic life among the Ojibway north of Lake Superior in the early stages of contact because there were few literate traders in the area to describe it (Bishop, 1976) and few Europeans ventured inland from the coast until long after the trading posts had been settled (Lytwyn, 2002).

Lytwyn (2002) studied archived fur trade records of the Hudson Bay Company and reported that prior to contact, specific groups the Lowland Cree (O mushkegowuk) were usually named after prominent physiographic features, especially river basins. These basins were often used by winter hunting groups comprised of several related families (as described in [Section 2.1.1](#)), and led by a hunter or elder who was respected for their ability to make good decisions regarding hunting practices and rules (Preston, 1990, as cited in Berkes *et al.*, 1991). Within the hunting ranges, a smaller (core) area could be used



more intensively as a base camp from which hunters ventured over larger areas in search of big game (Preston, n.d., as cited in Tsuji *et al.*, 2011). The transmission of family-based hunting ranges was typically from father to son, but exceptions were documented (Cummins, 1992).

Based on the research of Lytwyn (2002), hunting groups did not have exclusive rights to their basins (hunting ranges), and there was considerable movement between the river-basin hunting groups. Early traders reported many examples of people moving back and forth between river basins, and commented on the freedom of Lowland Cree people (Omushkegowuk) to hunt and travel without restriction; this pattern of land use was also observed inland among the Upland Cree and Northern Ojibway (Lytwyn, 2002). As recorded by a trader named George Holdsworth in 1815:

“the tribes generally live in peace and friendship with each other, and altho the necessity of migration has caused them to encroach on each others territories the circumstances does not appear to have given rise to jealousies, and several tribes may be seen occupying the track of country in the utmost peace and harmony” (HBCA, B.135/e/1, fo. 4d, as cited in Lytwyn, 2002).

As cited in Tsuji *et al.* (2011), Honigmann (1956) contends that “the notion of territorial [i.e., circumscribed, rigid boundaries] ownership by families did not appear until after the arrival of the Hudson’s Bay Company” (p. 64); prior to this, boundaries were fluid.

The recognition of the inter-relation of all of creation, the dependence of humankind on other beings for survival, and the principles of respect, reciprocity, and responsibility (as described in [Section 2.1.2](#)) serve as underpinnings of Indigenous land stewardship –





something that was considered a sacred responsibility bestowed upon them by the Creator (Davidson-Hunt *et al.*, 2005; Tsuji & Tsuji, 2021). There was an understanding that without balanced relationships with the environment, their own generation as well as those in the future were at risk. As noted by Luby *et al.* (2021), “Anishinaabe Elders teach youth to live with humility and recognize that nonhuman lifeforms can survive without human intervention, but humankind depends on plants and animals for subsistence” (p. 5). According to the Anishinaabeg worldview, in return for the gifts provided to humankind, the Creator placed a moral, custodial responsibility on them referred to as the principle of *gimiinigoowizimin gaaganawendang*, which means ‘keeper of the gifts’ (Davidson-Hunt *et al.*, 2005). Among the Anishinaabeg, feasts were held to respect the beings who made life possible during the past season, and for the beings that were to sustain people in the coming season (Davidson-Hunt & Berkes, 2003).

The responsibility to be stewards of the lands was also prominent among the Omushkegowuk. Berkes *et al.* (1991) contend that “the core of Cree culture is traditionally based on land stewardship activities, skills, and ethics” (p. 15). As told by Fort Albany First Nation elders (see Tsuji & Nieboer, 1999), each season corresponded to a period of time when one or a group of species were abundant and accessible, and just enough animals of a particular species would be harvested for subsistence and sharing. As other species became more plentiful or accessible, harvesting of the next species would begin. This switching of harvesting pressures was intended to prevent overharvesting in one season, which could have negative consequences on that species and thus the community.

Stewardship responsibilities were often conveyed through stories. For example, as told by Geniusz (2015), the Anishinaabe story “The Year the Roses Died” teaches that the gift of Creation requires careful stewardship. Rabbit was blamed by a council of animals for eating all the roses. A *Manitou* (spirit) appears and tells the council (p. 14): “Killing the *Waabooz* [rabbit] will not bring back the roses. You all noticed that the roses were in trouble, and you all decided to take your own shares even if it meant killing the roses forever. There is no honor in this. This is not keeping creation in balance as you were told to do in the Beginning Time.” The story describes how the animals failed in the responsibility to consider the needs of others, and highlights the importance of relationality for stewardship (Campeau, 2019).





## 2.2 Post-Contact Context

Indigenous peoples interacted with European explorers as early as 1000 AD, but it was not until permanent settlements were established in the 17th and 18th centuries when prolonged contact occurred (CIRNAC, 2017). Soon after the establishment of British and French colonies in what is now eastern Canada, alliances with Indigenous peoples were established to support various interests, including the commercial interests of the newcomers. Utilizing existing Indigenous trade routes, a vast trade network focused on beaver pelts was established between the English and the French and their Indigenous allies. Trade spurred new exploration through the Great Lakes basin, and further east and south (CIRNAC, 2017). Explorers and trappers also became interested in the rich trapping grounds north of Lake Superior and beyond, but the overland journeys from the Great Lakes were challenging. As a result, French explorers sailed through the Hudson Bay in 1668 to establish trade relations and access the heart of fur country (McIntosh & Smith, 2022). This expedition led to the establishment of the Hudson's Bay Company in 1670 (Finch, 2013).

The profitability of the fur trade led to significant competition, and various European and Indigenous interests often clashed violently, with various Indigenous groups displaced from their territories as a result. In 1701, France and the 40 Indigenous groups around the Great Lakes basin entered the Great Peace Treaty to end the violence. Indigenous groups formed both military and commercial (trade) alliances with groups from England and France as power struggles between the two countries intensified (CIRNAC, 2017).

The fall of Montreal in 1760 put an end to French colonial efforts in what would become Canada. To establish peaceful relations with the Indigenous allies of France, the British undertook a series of "Peace and Friendship" treaties. In 1763, France officially ceded its colonial territories with the Treaty of Paris and ended over 150 years of European competition and conflict. That same year, King George III issued a Royal Proclamation, which specified how the British colonies were to be administered and established a framework for the British Crown to acquire Indigenous interests in land through treaties. The Proclamation also established strict protocols for dealing with Indians, including that only the Crown could purchase land from them. Thus, the Proclamation was the first public recognition of First Nations' rights to lands and title (CIRNAC, 2017).





For the next 120 years, the relationship between First Nations and the British Crown transformed from one of allyship to wardship, driven by the influx of newcomers following the American war of Independence (1775-1783) and the War of 1812 (1812-1815), greater demand for land by settlers as a result, increasing costs of supplying gifts to First Nations groups to ensure their loyalty, and declines in the fur trade (Pettit, 2016; CIRNAC, 2017). With a need for more land and military threats fading, the relationship between Indigenous peoples and settlers shifted from one where Indigenous peoples could be considered necessary allies, to one where they could be considered obstacles to growth. What followed was a series of treaties and legislative developments that increased Crown authority over First Nations and lands reserved for them (CIRNAC, 2017).

**Section 2.1.1 to 2.2.10** describe the post-contact context, including: the fur trade; early legislation and policy and associated impacts on Indigenous peoples; the numbered treaties established in the region; perspectives on Aboriginal and Métis Rights; and legislative developments that have governed natural resource and land use.





### 2.2.1 Fur Trade and the Hudson's Bay Company

The Hudson's Bay Company was established by the King of England with a royal charter in 1670, recognizing the economic importance of the fur trade. The charter granted special powers to a corporation of established and wealthy gentlemen, who formed the Hudson's Bay Company. These special powers included exclusive rights to trade, mineral claims, and governance over the entire Hudson Bay drainage area (OCCC, 1986), which makes up a third of what is known today as Canada. However, the charter created no political or legal rights over Indigenous peoples living in the vast territory (Archives of Ontario, n.d.). The Charter named the vast area "Rupert's Land" after the King's cousin and the Hudson's Bay Company's first governor, Prince Rupert.

French fur trappers had already visited the region, but the Hudson's Bay Company was the first to establish permanent trading posts and presence in the region in 1679, with a trading post at Fort Albany on James Bay. The French-British competition for furs eventually led the Hudson's Bay Company to move inland to establish trading posts nearer to the Indigenous hunters who were supplying it furs, and settlements sprang up around the posts (CIRNAC, 2017). In 1743, the Hudson's Bay Company established the first inland trading post, the Henley House, on the north shore of the Albany River. It was moved further south in 1796 and remained operation until 1857. A trading post was first established at Martin's (Marten) Falls on the Albany River in 1794, although it was closed five years later in 1799. In 1818, the Hudson's Bay Company founded a new post at Marten Falls to take the place of Gloucester House, another nearby trading post which was established in 1774. This new post remained operational until 1924. Following the closure of the post, the Marten Falls First Nation community was relocated to the present-day community location of Ogoki Post, approximately 64 km downriver and east (Handfield, 2020). By 1870, the Hudson's Bay Company had 97 trading posts in Rupert's Land (Archives of Ontario, n.d.). A post was established at Fort Hope (present day Eabametoong First Nation) in 1894, and a post at Lansdowne House (present day Neskantaga First Nation) was established in 1900.





The trading posts became a centre for trade relationships and social gatherings during summertime. Pacts between Indigenous peoples living in the region and the Hudson's Bay Company made commerce possible (Archives of Ontario, n.d.). The early trading posts, including Fort Albany, became the base for an extensive trade alliance with the Cree, who became a sort of intermediary between the company and interior Indigenous groups (CIRNAC, 2017). The Albany River became a major east-west trading route as it linked James Bay with the Winnipeg River (Morse, 1968). The Hudson's Bay Company relied on Indigenous knowledge of the area, the animals, and the tools needed for travel and survival, as well as Indigenous trappers to supply valuable furs (OCCC, 1986).

For over 200 years, furs, meat, feathers and handmade objects were bartered at trading posts or factories set up at strategic locations, where dozens of families could gather for a few weeks in the summer to socialize and make collective decisions, including with respect to land use (Long, 2011). During this time, Indigenous peoples became increasingly more dependent on the fur trade, and supplies and items that were previously considered luxuries were now considered necessities; many aspects of Indigenous lifeways were changed by European products (OCCC, 1986). As a result, the traditional economies of Indigenous peoples, including the Anishinaabeg and the Omushkegowuk, began to change. With the introduction of money and European goods, Indigenous men began finding seasonal employment on the York boats (boats used by the Hudson's Bay Company for trade and the transport of goods) and steamboats on the Albany and Attawapiskat Rivers, or building Hudson's Bay Company forts. Some Indigenous people were taught how to keep stores (MFFN & OMNRF, 2020).

As the fur trade became more profitable, some free traders organized themselves to form the Northwest Company, which grew rapidly and became the Hudson's Bay Company's major rival, with open conflicts arising. The fur trade war intensified until 1821, when the Hudson's Bay Company merged with the Northwest Company (OCCC, 1986), extending the Hudson's Bay Company's fur trade monopoly to the Pacific Ocean (Archives of Ontario, n.d.). Without the competition that made them necessary, some trading posts were closed, and trading options for Indigenous peoples became fewer (Finch, 2013). The





Hudson’s Bay Company monopoly lasted until 1869, when the company transferred its deed for the area to the English Crown (Canada) for \$1.5 million to enable westward expansion and settlement. In the transfer, Canada had agreed to a “Protection Pledge” that ensured it would protect the interests of Indigenous peoples living in the territory. The transfer took place without consultation with the Anishinaabeg or Omushkegowuk, who didn’t believe that the Hudson’s Bay Company or the Crown had sovereignty over the land in the first place (Archives of Ontario, n.d.).

The presence of the Hudson’s Bay Company had profound effects on Indigenous peoples across Canada, including the Anishinaabeg and Omushkegowuk. In addition to the lifestyle changes associated with the economic transition, many Indigenous peoples of the region faced starvation in the 19th century, especially between 1820 and 1880. Animals important for both food and the fur trade became scarce because of natural population cycles, over-harvesting, and overhunting. The Hudson’s Bay Company reduced trapping operations in areas where beaver populations were exhausted. Moose almost entirely disappeared from what is now northern Ontario in the period from 1780 to 1930, shifting pressures to smaller game and fish and increasing reliance on foods purchased from trading posts (OCCC, 1986). Caribou also became increasingly rare. The disappearance of these animals meant leather and cloth had to be purchased to avoid cutting up pelts. The transition to small game and fish also led to more time spent settled in areas where these resources are found rather than out in the hunting territory (Bishop, 1970).

The influx of traders and settlers also brought new diseases such as measles, smallpox, whooping cough, influenza, and tuberculosis, all previously unknown to Indigenous peoples. This led to many deaths, especially among elders (OCCC, 1986). Alcohol was also introduced, with devastating effects on Indigenous populations (CIRNAC, 2017).

With the rapid spread of trade came missionaries dedicated to spreading and promoting their faith. Two religions were introduced to the Anishinaabeg and Omushkegowuk: Anglican by the English and Catholicism by the French. Much like how the English and French had competed in the fur trade, the two religions competed for the conversion of Indigenous peoples into their respective churches. This led to severe restrictions on Indigenous beliefs, ceremonies, and practices, such as drumming and dancing, as they were considered pagan and devil worship. Christian ceremonies replaced Indigenous ones, and missionaries encouraged the use of biblical or European names (OCCC, 1986).



## 2.2.2 Métis Peoples

Decades of intermarriage between English and French traders and explorers with First Nation women created new and distinct communities along waterways and trade posts and routes around the Great Lakes in what is present day Ontario (MNO, 2023a). These communities were historically referred to as “half-breed” or “Métis”, a word used to describe individuals with mixed Indigenous and European ancestry. The term half-breed was more commonly applied to English-speaking descendants of English or Scottish traders and explorers, who were often of the Anglican denomination, while the term Métis was more commonly applied to French-speaking descendants of French traders and explorers, who were often of the Catholic denomination (Foster, 1978). However, the term half-breed fell out of use as it became derogatory (racist) in nature and Métis is now used for people of both French- and English-speaking heritage (Gaudry, 2009).

The Cree had two names for the Métis: *âpihtawikosisân* meaning ‘half people’ and *otipêyimisowak* meaning the ‘independent ones’. The Ojibway referred to the Métis as *wisahkotewan niniwak* meaning ‘men partially burned’ (Teillet, 2013).

The origins of Métis peoples and communities are closely tied to the emergence of the fur trade in North America. The arrival of European explorers in eastern Canada in the 1600s led to unions with Indigenous communities through marriage (Dumont, 2017). As the fur trade and competition among the French, English, and Indigenous groups intensified through the 17th century, French traders were encouraged to seek marriage alliances with Indigenous peoples to establish the kinship basis for trade and military activities (Foster, 1978). These strategic alliances continued until French colonial efforts officially ended in 1763 with the ceding of New France to Britain (see [Section 2.2](#)), upon which time Indigenous peoples in the Great Lakes region rebelled against British rule. With increased hostility between Indigenous peoples and the British in the last few decades of the 18th century, the French practice of establishing alliances with Indigenous peoples through marriage and peace and friendship treaties was adopted (Surtees, 1975, as cited in Foster, 1978).



Initially, children of mixed European and Indigenous ancestry were classified as either Indian or European based on their way of life rather than race. The socio-cultural identity of children was primarily associated with that of their mother: if she remained with her Indian band, then the child was considered an Indian, but if she resided in a trading post for an extended period, the child was considered European (Brown, 1978, as cited in Foster, 1978). However, distinct Métis settlements began to emerge as the Métis population increased, and Métis people began to identify as a separate group rather than simply extensions of their maternal (First Nations) or paternal (European) relations (MNO, 2023a).

As the fur trade expanded north and westward, new trade routes were established, leading to new Métis communities along them (Dumont, 2017). Métis settlements emerged along waterways and watersheds in Ontario as an outgrowth of the fur trade. These settlements were part of larger regional communities, interconnected by (MNO, 2023b):

- The highly mobile lifestyle of the Métis;
- The fur trade network;
- Seasonal rounds;
- Extensive kinship connections; and,
- A shared collective history and identity.

Peterson (1985) described the Great Lakes Métis during the 18th century as “people in the process of becoming” given that although they may not have been self-consciously Métis before 1815, “their distinctiveness was fully apparent to outsiders, if not to themselves” (p. 39). By the early 19th century, there was a historically significant population of Métis descendants in the Great Lakes region of Ontario who had developed a network of trading villages and towns long the shorelines of rivers and lakes (Peterson, 1978, 1985). The Métis settlement at Fort Williams (in present-day Thunder Bay, historically known as Port Arthur) is recognized as one of the two first Métis settlements in Canada (Tronrud & Epps, 1995, as cited in Gale, 1998). According to Peterson (1978), this network of marital and fur-trade alliances among the Great Lakes Métis communities suggested that a larger regional Métis identity had developed.



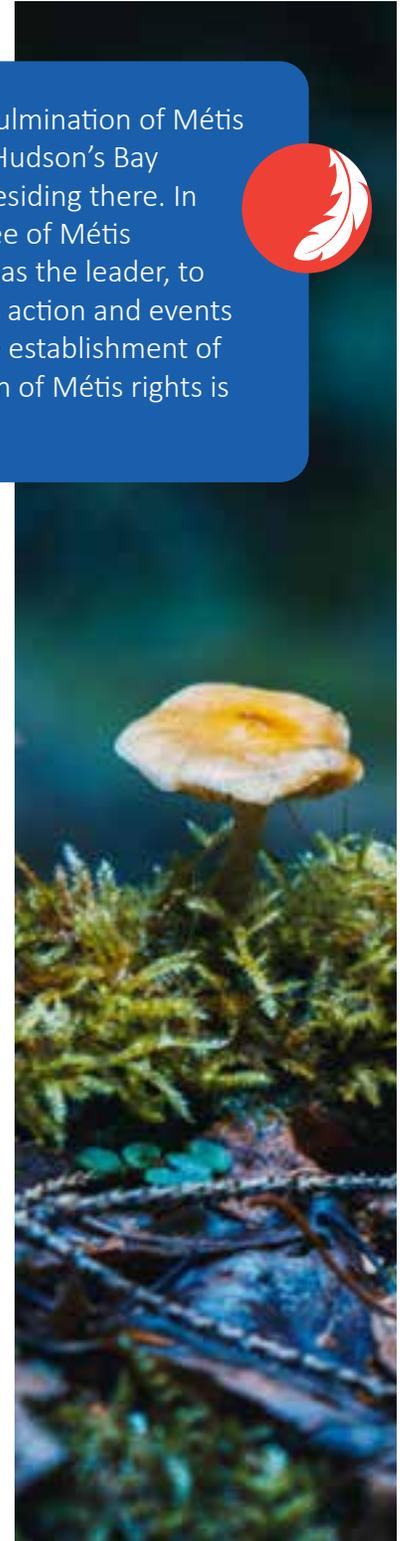


The Red River Métis Settlement has been regarded as the site of the culmination of Métis political consciousness. Canada's purchase of Rupert's Land from the Hudson's Bay Company in 1869 was undertaken without consultation of the Métis residing there. In response, and given concerns about Métis rights, a National Committee of Métis (effectively a provisional government) was established, with Louis Riel as the leader, to stop the land transfer until Métis rights and title were recognized. This action and events that followed became known as the Red River Rebellion and led to the establishment of the Province of Manitoba (Ouellet & Hanson, 2009). Further discussion of Métis rights is provided in **Section 2.2.10.1**.



Dickason (1985) contends that the Métis ethnic consciousness was crystalized in the new Far Northwest (present-day prairies region of Canada) where the pressures of settlement were much lower, Métis communities were far more isolated, and the fur-trade continued to flourish. Many French speaking Métis from the Upper Great Lakes region migrated north and west to the Red River Settlement (in present-day Manitoba) through the early- to mid-19th century. This migration was a result of increasing settlement in the Upper Great Lakes region, significant depletions in fur-bearing animals (Peterson, 1978), and a preference to continue fur-trade practices rather than adopt agricultural ones (Ens, 1996). The Métis of Red River and the Great Lakes Métis were often connected through marriage and kinship practices (Gaudry, 2009). By the mid-19th century, descendants with mixed ancestry were no longer being persuaded to make a choice between Indigenous and European identities, and a distinct and unified sense of Métis identity had emerged (Brown, 1985).

The early ethnic identity among Métis was based on a strong association with and reliance on the fur trade, an independent lifestyle, a lack of agricultural development, subsistence practices to provide clothing and tools, and a lack of established land rights (Peterson, 1978). Both Indigenous and European cultural traditions were adapted and merged into the clothing, food, medical practices, languages, beliefs, and customs of Métis communities (Peterson, 1978). Many First Nations women who were part of





Métis families maintained close ties with their ancestral communities, and many of their traditional lifeways and cultural practices were preserved in Métis communities. For example, Ojibway and/or Cree languages were spoken in many Métis communities in the Great Lakes (Foster, 1985). In addition, many Indigenous groups (including the Anishinaabe and Cree ) had close relations with the Métis and shared the land and ways of life on it, as well as aspects of culture and language. Prior to the establishment of First Nation reserves (see [Section 2.2.6](#)), First Nations and Métis shared territory, usually peacefully (Teillet, 2013). It was also common for First Nations and Métis families to travel on hunting expeditions together (Chartrand, 2007).

According to Chartrand (2017), while the identity boundaries between First Nations and Métis were porous and there was a lot of transfer between them, the core identity distinctions were present. An important distinction with respect to legal traditions related to land was that the Métis did recognize individual title and ownership (unlike the collective ownership perspectives of First Nations), which was part of their European heritage understanding (Chartrand, 2017).



Many Métis families flourished and spread further west and north with the expansion of the fur trade. The genetic diversity of Métis peoples enabled them to be more resilient to European diseases, and the Métis also had many allied First Nations families. In addition, the Métis were able to serve as intermediaries between European and First Nations cultures, enabling them to work as guides, interpreters, fur traders, and suppliers of goods to new forts and trading companies. As a result, the Métis became the largest Indigenous merchant family in North America, and strong competition against less acclimatized Europeans (Carrière, 2017). The transportation of goods and the development of many settlements could be attributed to the hard work of the Métis (Redbird, 1980, as cited in Peressini, 2000).

Prior to the 1800s, the British government was largely unaware of the existence of the Métis (Hayter, 2017). In 1810, the Royal Society reported the successes of the Métis to the British Crown, which set the stage for the primary policy of the British to remove the Métis as a threat to settlement (Carrière, 2017).



By the mid-19th century, British authorities had developed a policy of Métis collective non-recognition. In addition to the perceived threat that the Métis posed to colonial expansion, the Métis also posed a potential threat to colonial aspirations for civilization. To acknowledge the Métis as a distinct group could have been likened to acknowledging the failures of colonial policy to assimilate and “civilize” First Nation peoples, which would be inconsistent with colonial objectives of progress (Chartrand, 2017).

In 1884, in the face of increasing settlement in the west following Canada’s purchase of Rupert’s Land, and in defense of Métis ancestral rights, the leader of the National Commission of Métis (Louis Riel) organized a petition to the Government of Canada. The petition requested (Ouellet and Hanson, 2009):

- Title to the lands already occupied by Métis families;
- Provincial status for Saskatchewan, Alberta and Red River; and,
- Better treatment of all Indigenous peoples.

An unsatisfactory response from the government led to the Northwest Rebellion or Riel Rebellion of 1885, leading to hundreds of deaths and defeat by federal troops. For their roles, Riel and other Métis and First Nations leaders were arrested, and Riel was subsequently hung as a message to the Métis who challenged Canada’s western expansion goals (MNO, 2023a). Following the rebellion, the first Prime Minister of Canada, Sir John A. McDonald, in effect denied the existence of the Métis as a distinct group when he stated that they must consider themselves either Indian or white (Sealey, 1980, as cited in Peressini, 2000). In response to the public backlash from these events, many Métis in Ontario were disinclined to self-identify and covertly continued to practice their culture and lifeways (MNO, 2023a).

Today, the Historic Métis Nation refers to itself and is referred to by others as the Métis Nation. According to the Métis Nation of Ontario Registry Policy (June 2023 Version) (2023c), “Métis means a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation” (p. 2). To apply for citizenship within the Métis Nation of Ontario, individuals must meet and follow the requirements of the Métis Nation of Ontario Registry Policy which includes key measures related to self-identification, proving historic Métis Nation history, community acceptance, and provides provisions for appeals and the Harvesters Registry (MNO, 2023c).





### 2.2.3 Early Legislation and Policy

As the British need for the military allyship of Indigenous peoples waned, an emerging perspective from the British reflected a belief that British society and culture were superior. As a result, the Indian Department of the colonies of Upper and Lower Canada was tasked with a plan of “civilization”, and Indian agents began encouraging Indigenous peoples to abandon their traditional lifeways and beliefs and adopt more agricultural and settled ways of life. Legislation was also introduced in support of the “civilization” program, starting with the *Crown Lands Protection Act* of 1839. The Act made the British government the guardian of all Crown lands, including Indian Reserve lands; this statute was the first to classify Indian lands as Crown lands to be protected by the Crown (CIRNAC, 2017).

As noted by Parrott (2022), the 1850 *Act for the better protection of the Lands and Property of the Indians in Lower Canada* was one of the first pieces of legislation that included a set of requirements, based on blood, for a person to be considered a legal Indian — a precursor to the concept of “status.” These requirements essentially said that people were considered Indian if they were of “Indian blood” and were members of a “Body or Tribe of Indians.” Descendants of such people were Indian, as were non-Indians who “intermarried with such Indians,” people whose parents (one or both) would have been considered Indians, and “all persons adopted in infancy by any such Indians” (Parrott, 2022). Thus, early definitions of “Indian” were inclusive of Métis people.

Enfranchisement refers to the process that resulted in a person becoming of “citizen” of the country and no longer being considered an “Indian” under legislation, thus losing all benefits associated with that status. Enfranchisement was not abolished until the Indian Act was amended in 1985 through Bill C-31.



The British government introduced the *Gradual Civilization Act* in 1857, which offered 50 acres of land and monetary incentives to literate and debt-free Indians provided they abandoned their traditional way of life and adopted a civilized life as a “citizen”. The Act had as its premise “that by eventually removing all legal distinctions between Indians and non-Indians through the process of enfranchisement, it would be possible in time to absorb Indian people fully into colonial society” (RCAP, 1996b, p. 249). This was followed by the *Management of Indian Lands and Property Act (Indian Land Act)* in 1860, which transferred exclusive authority for Indians, lands reserved for Indians, and Indian affairs from the Crown to the colonies, and then the new Dominion of Canada under the 1867 *Constitution Act (British North America Act)*.

Assimilation became the fundamental principle of federal policy through the *Gradual Enfranchisement Act* in 1869, which aimed to remove any special distinction or rights of First Nations people to assimilate them into settler society. This marked the beginning of federal government efforts to legislate and regulate First Nations’ identity (APPA, 2019). Between 1869 and 1985, an Indian woman marrying a non-Indian man would be enfranchised (AFN, 2020a).



### 2.2.4 The *Indian Act*

The *Indian Act* was introduced in 1876 to consolidate all previous regulations pertaining to Indians and provide greater authority to the Department of Indian Affairs. The Act enabled the Department to (CIRNAC, 2017):

- Intervene in a wide variety of band issues including governance structure;
- Make sweeping policy decisions, including who was considered to be a “Status Indian”;
- Manage Indian lands (see [Section 2.2.6](#)), resources, and moneys;
- Control access to intoxicants, including alcohol; and,
- Take measures to promote “civilization”, including mandating Indigenous children into government-sanctioned schools (see [Section 2.2.7](#)).

The *Indian Act* was based on the premise that it was the Crown’s responsibility to protect Indian interests and thus the Crown would act as a “guardian” until such time that Indians could fully integrate into society (CIRNAC, 2017).

The Act has largely excluded Métis individuals since its enactment. The 1876 *Indian Act* simplified and further restricted the definition of “Indian” compared to definitions in earlier legislation (see [Section 2.2.3](#)). It excluded Métis who had received “half breed scrip” (individual land grants to Métis on the prairies beginning in the 1870s). It also excluded the children of Indian women who married non-Indian men (including Métis men). These exclusions effectively served to reduce the size of the category of Indian while increasing the size of the non-Indian category, which, in turn, reduced the amount of land necessary for Indians and enabled increasing settlement by Euro-Canadians (Hayter, 2017). Amendments to the Act beginning in 1879 increasingly excluded Métis people, with far reaching exclusions added through amendments up to and including 1951 (Teillet, 2013). While the result has been that Métis people have been largely excluded from the Act, many individuals who self-identify as Métis are today registered as Indians under the *Indian Act*.





According to Hanson (2009a) and CIRNAC (2017), throughout its history, the *Indian Act* has been highly invasive and paternalistic, and increasingly restrictive, imposing ever-greater controls on First Nations peoples. Between 1876 and 1920, individuals were automatically enfranchised and removed from their band lists if they (AFN, 2020a):

- Got a university degree and joined the medical or legal professions;
- Got any university degree and met the “fit” or “civilized” enfranchisement requirements; or,
- Became a priest or minister.

An amendment to the Act in 1880 marked the beginning of gender-based restrictions to First Nations status – women lost their Indian status if they married and non-Indian man (Hanson, 2009a). In the 1880s, a new system of band councils and governance was imposed, with the final authority resting with Indian agents. Outright bans on spiritual and cultural ceremonies were also imposed.

An amendment in 1927 forbid fundraising by First Nations for the purpose of pursuing a land claim without the permission of the Department of Indian Affairs, preventing First Nations from pursuing land claims of any kind (CIRNAC, 2017). It was not until significant amendments in 1951, as Canadian society became more aware of the concept of human rights following World War II, that (Hanson, 2009a):

- It was no longer illegal to practice Indigenous customs and culture;
- First Nations people were allowed to enter pool halls, gamble, appear off-reserve in ceremonial dress, and organize and hire legal counsel; and,
- First Nations women were allowed to vote in band councils.





Gender-based restrictions in the Act were in place until amendments were undertaken in 1985 to align with the equality rights guaranteed by Section 15 of the *Charter of Rights and Freedoms* (Bill C-31). The amendments enabled women who had previously lost their Indian status as a result of marriage to a non-Indian to regain it, as well as their children’s status, and prevented a person’s marriage from affecting their receipt or loss of status. However, the amendments created new forms of discrimination with the introduction of a “second-generation cut-off”. Several cases were brought to court and as a result, Bill C-3 was passed in 2011 to address these issues and enable Indian status to grandchildren of women who regained status in 1985 (AFN, 2020b). Enfranchisement was also not abolished until the 1985 amendments.

## 2.2.5 Treaties

Canada undertook a series of treaties with First Nations with the aim of extinguishing title to large swaths of Indigenous land to enable settlement and resource development in western and northern Canada (Archives of Ontario, n.d.), and to reduce possible conflicts between First Nations and settlers (CIRNAC, 2017). When the Dominion of Canada was created in 1867, the Province of Ontario was a fraction of the size of the present-day province, and both legislation and the signing of treaties with Indigenous groups served to incrementally increase the landmass of Ontario (CIRNAC, 2021, as cited in Tsuji & Tsuji, 2021).

The Anishinaabeg and Omushkegowuk of the region are signatories to the Robinson-Superior Treaty (1850) and James Bay Treaty Number 9 (1905).

Although the Project is wholly contained in James Bay Treaty 9 boundaries, information on the Robinson-Superior Treaty is included in **Section 2.2.5.1** as some of the Indigenous communities that are part of the Project Consultation and Engagement Program are signatories to the Robinson-Superior Treaty. While most Indigenous communities and groups in the area of the proposed Project are signatories to James Bay Treaty Number 9, an overview of the Robinson-Superior Treaty is presented first, in line with the chronological order of the treaties.

### 2.2.5.1 Robinson-Superior Treaty

Anishinaabeg requests for a treaty began in the 1840s when copper and iron deposits were discovered on the south and north shores of Lake Superior and the government started to issue mining leases; by 1846, 64 mineral licenses had been issued on the south shore of the lake, and surveying of the north shore had begun. In response, the Anishinaabeg and Métis seized the Montreal Mining Company site at Mica Bay, Lake Superior in 1849, forcing the government to negotiate treaties (Hele, 2020).

As of May 2023, there is an ongoing Ontario Superior Court trial related to the Robinson-Superior Treaty and the escalator clause for annuities. Communities associated with the treaty are seeking compensation for nearly 150 years of annuities without any increase in payments (Hopkins, 2023).



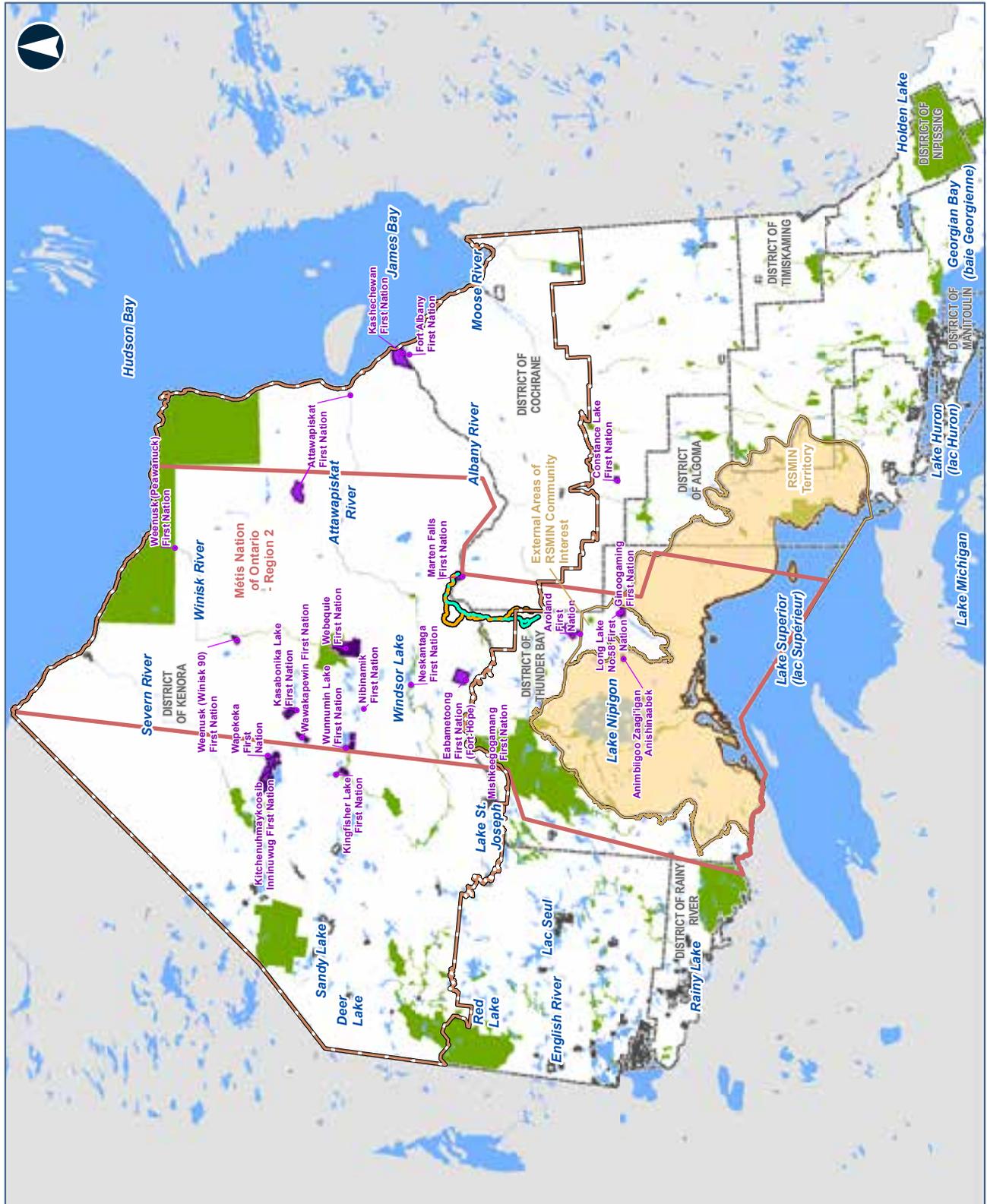


In September 1850, the Anishinaabeg of the Upper Great Lakes signed two separate but interconnected treaties: the Robinson-Superior Treaty, and the Robinson-Huron Treaty. These treaties provided Canada East and Canada West (the future Quebec and Ontario, respectively) with access to the north shores of Lake Huron and Lake Superior for settlement and mineral extraction. In exchange, the Anishinaabeg gained recognition of hunting and fishing rights, a one-time payment of £2000, an annual payment or annuity of £500 and £600 (respectively), and large reserves set aside specifically for First Nations from the surrender of specific lands for each signatory community. The treaties also contained an “escalator clause” for the annuity, which meant that the Crown would increase the annuity as revenues from lands increased (Hele, 2020).

While the recognition of the Métis in the Robinson-Superior Treaty was urged by the Indians (Gale, 1998), they were omitted as the treaty commissioner had no mandate to deal with the Métis (MNO, 2023a). The treaty commissioners informed the Métis that they were not empowered to deal with them as collective, and they could only choose to identify as either Indian or white for the purposes of the treaty (Teillet, 2013). The Hudson’s Bay Company did pay some “half breeds” annuities under the treaty between 1851 and 1875, as recorded in treaty annuity lists for the Lake Superior region (MNO, 2023a). However, all Métis were later excluded from the annuity lists when the Government of Ontario argued an error had been made when some Métis were included as beneficiaries in the treaty (McNab, 1985, cited in Peressini, 2000). As noted by Peressini (2000), this action established a precedent for the exclusion of the Métis from Aboriginal rights in Ontario.

The Robinson-Superior Treaty covers the north shore of Lake Superior from Batchewana Bay to Pigeon River at the western end of the lake, and the lands to the north up to the Hudson Bay watershed (**Figure 2-1**). Indigenous peoples residing in the area covered by the treaty at the time of signing include ancestors of the Animibiigoo Zaagi Igan Anishinaabek First Nation, Long Lake #58 First Nation, and the Red Sky Métis Independent Nation.

The Robinson treaties were the first to lead to the surrender of huge tracts of land with different and disparate Indigenous groups; previous treaties in Upper Canada negotiated for relatively small and compact parcels of land. They also established payments to individual band members instead of yearly lump sums paid to the band, formalized the setting aside of reserve lands for each individual signing group, and acknowledged ongoing rights to hunt and fish throughout traditional territories including a provision that lands could be “taken up” by the Crown for settlement, mining, lumbering, trading, or other purposes (referred to as the Taken Up Clause). These treaties became the model for subsequent treaties (CIRNAC, 2013), including the James Bay Treaty Number 9.



- Legend**
- Robinson-Superior Treaty Boundary
  - Approximate Métis Nation of Ontario - Region 2 Boundary
  - Red Sky, Métis Independent Nation
  - Route Label
  - Alternative 1
  - Alternative 4
  - Alternative 1 and Alternative 4
  - First Nation Reserve
  - Far North Boundary
  - District Municipal Boundary
  - Provincial Park
  - Waterbody

**DRAFT**

**MARTEN FALLS FIRST NATION  
COMMUNITY ACCESS ROAD**

**Robinson-Superior Treaty Boundaries**



**Data Sources:**  
 Provided by MNRFP 2019; Route infrastructure - Provided by AECOM 2019  
 Contains information licensed under the Open Government Licence Ontario.

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**Figure 2-1**

Content shown is provided by Ontario Ministry of the Environment, Conservation and Parks (O.M.E.C.P.) and the Ontario Ministry of Natural Resources and Forestry (O.M.N.R.F.). It is not intended to be used for any other purpose. The use of this information is subject to the terms and conditions of the O.M.E.C.P./O.M.N.R.F. Information Privacy Policy. The use of this information is subject to the terms and conditions of the O.M.E.C.P./O.M.N.R.F. Information Privacy Policy. The use of this information is subject to the terms and conditions of the O.M.E.C.P./O.M.N.R.F. Information Privacy Policy.



### 2.2.5.2 James Bay Treaty Number 9

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By the late 1800s, many Indigenous peoples, including the Anishinaabeg and Omushkegowuk of the region, were facing significant challenges including:

- Declining animal resources;
- Starvation;
- Illnesses brought by Europeans; and
- Unwelcome poachers and mining prospectors with the newly established railroads.

With problems worsening, some Indigenous peoples of the region began to press Canada to enter a treaty, with an aim of ensuring protection and economic security as settlement and development intensified. While initial requests for a treaty were not supported by Canada, the discovery of minerals in the region, combined with interests in further expansion of the railway network, timber development, and hydro-electric production, led to negotiations of the James Bay Treaty Number 9 (Treaty 9) (Archives of Ontario, n.d.).

Similar to the Robinson-Superior Treaty, Treaty 9 set aside reserve lands for First Nations and granted them annuities and the continued right to hunt and fish on unoccupied Crown lands in exchange for Aboriginal title (CIRNAC, 2017), and the surrender of over 230,000 km<sup>2</sup> of territory (OCCC, 1986). In addition, the treaty included: schools and teachers to educate First Nations children on reserve; and ceremonial and symbolic items such as medals, flags, and clothing. During negotiations, First Nations were encouraged to settle on reserve lands, take up agriculture, and receive an education (CIRNAC, 2017).

Treaty 9 was unique among the numbered treaties in that there was a requirement for the concurrence of the Province of Ontario given extended boundaries of the province west and north to the Albany River. However, based on oral history and available written records, the Indigenous signatories were not informed of the negotiations between Canada and Ontario with respect to the treaty (Armstrong, 2008, as cited in Tsuji & Tsuji, 2021). The terms of the treaty were finalized in advance by the Dominion of Canada and the Province of Ontario, and presented to Indigenous leaders; government representatives were not permitted to change the terms during the treaty expedition. The Ontario government had a series of demands, including that one of the three commissioners would represent the province, and that no Indigenous reserves in the treaty territory would be located in areas with hydro-electricity development potential greater than 500 horsepower (Archives of Ontario, n.d.).

Treaty 9 was the first major treaty in Ontario in which treaty signing took place in many locations rather than one (Archives of Ontario, n.d.). During the treaty expedition in 1905 and 1906, treaty commissioners travelled to trading posts along the rivers in what is now northern Ontario and met with Cree and Ojibway peoples. While the Indigenous people encountered at the trading posts at the time of the expedition were not necessarily part of a “band”, they were designated as such for administrative convenience. Each trading post was to give advance warning as to when the treaty party would arrive, but as it turned out, many Indigenous people were not present upon their arrival (OCCC, 1986).



The intent of the commissioners was to describe the contents of the treaty, establish reserves and associated boundaries, and obtain the signatures of Indigenous leaders. At each stop, the commissioners requested the community to select representatives who heard the treaty explained to them by interpreters (generally Hudson’s Bay Company employees or clergy), as the document was provided in English only. Most community members received an \$8 gift and the promise of a \$4 annuity in perpetuity. It was noted in the Treaty 9 Commissioners’ official report that the reserves were generally selected by the commissioners after conference with Indigenous people (Tsuji & Tsuji, 2021), but very little was actually described within the report (Morrison, 1986). Commissioners neither provided a full version of the treaty translated into the languages of the local Indigenous peoples, nor did they leave the document or a copy for review (Archives of Ontario, n.d.).

Treaty 9 covers most of present-day Ontario north of the height of land dividing the Great Lakes watershed from the Hudson and James Bay drainage basins (**Figure 2-2**). Signatories to Treaty 9 between 1905 and 1930 included the following:

- Marten Falls Band of Oji-Cree (Marten Falls First Nation);
- Osnaburgh Band of Ojibway (Mishkeegogamang First Nation);
- Fort Hope Band of Oji-Cree (Eabametoong First Nation, Neskantaga First Nation, Nibinamik First Nation, and Webequie First Nation);
- English River Band of Oji-Cree (Constance Lake First Nation);
- Fort Albany Band of Cree (Fort Albany First Nation, Kashechewan First Nation, Aroland First Nation);
- Long Lake Band of Ojibway (Ginoogaming First Nation);
- Big Trout Lake Band of Oji-Cree (Kasabonika Lake First Nation, Kingfisher First Nation, Kitchenuhmaykoosib Inninuwug First Nation, Wapekeka First Nation, Wawakapewin First Nation, and Wunnumin Lake First Nation);
- Winisk Band of Cree (Weenusk First Nation); and,
- Attawapiskat Band of Cree (Attawapiskat First Nation).

Ontario’s northern border was extended from the Albany River to its present day location in 1912, leading Indigenous peoples in the newly acquired areas to petition the government for a treaty. Formal adhesions to Treaty 9 were made in 1929-1930 as a result (Archives of Ontario, n.d.).



Treaty 9 was considered to be one of the least generous of the numbered treaties: the monetary gifts and annuities were much lower than Treaty 8 or Treaty 10, and there was to be no distribution



of ammunition or net twine, no farm implements or cattle, no carpentry tools, and no salaries of clothing for the chiefs and councillors (Ry, Miller, & Touch, 2000, as cited in Long, 2011). In addition, as noted by Long (2010), Treaty 9 historians contend that the treaty was flawed due to the lack of oversight by the people who drafted it, and it may have been the first of the numbered treaties that lacked the oversight of the Colonial Office in Great Britain. The conditions and factors present when the treaty was signed were also problematic (Archives of Ontario, n.d.; OCCC, 1986):

- The treaty commissioners could not speak any of the local Indigenous languages;
- Many Indigenous signatories didn't speak, read or write English so interpreters selected by the commissioners were used;
- Indigenous peoples lacked an understanding of the Canadian legal system and were not provided with lawyers to advise them; and,
- The worldviews, culture, history, and ways of knowing land ownership of Indigenous signatories and the commissioners were very different.



Long (2006) contends that there were two treaties: the official written version, and the one that was orally described to Indigenous peoples. This has been substantiated by Indigenous oral history and the Treaty 9 commissioners' own writings, which indicate that the commissioners told the Elders two key things:

- The treaty would last as long as the sun shines, the grass grows, and the winds blow; and,
- Traditional and cultural activities of Anishinaabe and Mushkegowuk signatory communities would be protected.

The Indigenous signatories understood, through oral promises, that the treaty would help them achieve *Mino-Bimaadiziwin* and *Mino-Pimatisiwin* (Archives of Ontario, n.d.).

Archival records also suggest that the commissioners did not explain the "Taken Up Clause" (see [Section 2.2.5.1](#)) – if they had, it is possible that Indigenous representatives would never have signed the document (Archives of Ontario, n.d.).





### 2.2.6 Damming and Diversion

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Today, not all of the water that would normally flow to Hudson’s Bay remains within the watershed. The damming and diverting of waterways in the area has occurred at various scales over time. Demand for water in the Great Lakes region for shipping and hydropower has led to diversion from the Albany River watershed to the Great Lakes in the form of three key projects: one from the Kengami River; one from Lake St. Joseph; and one from the Ogoki River (Garrick, 2020). The Long Lake Diversion Project included the construction of the Kenogami Lake Dam and the Long Lake Diversion Dam, undertaken in 1937. The Ogoki Diversion Project, in the early 1940s included the construction of the Waboose and Summit Dams to divert water to Lake Superior through Lake Nipigon. The Lake St. Joseph Diversion Project was built to divert water from Lake St. Joseph to Lac Seul in the late 1950s (Garrick 2020; Creger, 2018). In discussion about the potential development of more waterway diversion projects in the 1960s, Marten Falls First Nation Councillor Sam Achneepineskum commented “Our community would have been a lake where it is now... I think that is part of the reason why Nishnawbe Aski Nation came to be, all the chiefs got together and they started to push back on trying to kill the project. It was called Damn the Dams” (Garrick, 2020, p. 15).

### 2.2.7 The Reserve System

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The reserve system concept evolved from the early settlements created by missionaries. As more newcomers were arriving, they began occupying the traditional territories of Indigenous peoples in increasing numbers, and reserves were initially considered a pragmatic solution to land disputes and conflicts between Indigenous peoples and settlers. As treaties began to be reached with Indigenous peoples, provisions were included for the creation of reserves. The reserve system was formalized under the *Indian Act*, which permitted the government to determine the land base of First Nations in the forms of reserves set aside for their exclusive use (Hanson, 2009b).

While Treaty 9 specified that First Nations would choose the location of their reserves, the Ontario Order-in-Council later changed the terms – the commissioners would now decide, and one of the three treaty commissioners would be appointed by the Government of Ontario (Matheson, 1905a, as cited in Tsuji & Tsuji, 2021). The size of the reserves was based on the number of people in the band; however, the population data at the time for these communities could not be considered accurate and many people were not at the trading post during treaty deliberations because of the late start to the treaty expedition (Tsuji & Tsuji, 2021). This led to many reserve locations and sizes being determined based on local settler demand. Even in areas covered by the numbered treaties, reserve size was calculated differentially, ranging between 160 and 640 acres per family of five (Smith, 2009, as cited in Smith, 2016).

As noted by Smith (2016), even as the land base of First Nations was reduced through the reserve system, reserves were still vulnerable to surrounding land uses. Demands for mineral, forest, and agricultural lands; the construction of transportation routes or military sites; and other purposes that arose, often led to the alienation of reserve lands under the jurisdiction of the Canadian Government.



While consent from First Nations was often sought, this consent was regularly acquired under what could be considered questionable circumstances. The sale of reserve lands was consistently presented as being in the long-term interest of the First Nation community, yet railway and corporate executives, and other members of the settler elite (including Indian Affairs Department staff and other public officials), often gained possession of alienated reserve lands (Smith, 2016).

The creation of the reserve system had far-reaching implications for Indigenous peoples, including the Anishinaabeg and the Omushkegowuk. As noted previously, the land base of First Nations was significantly reduced: the reserve system dispossessed the Anishinaabeg of all but one percent of their traditional territory (Pitawanikwat, 2009). Under the reserve system, which provided First Nations with fragments of their ancestral territory, Indigenous residents held the right to occupancy only, which ownership and title remained in the hands of the Crown (Smith, 2016).

As noted by Hanson (2009b), the reserve system was essentially a government-sanctioned displacement of First Nations people, with reserves dividing up not only lands but also peoples and communities that had existed for hundreds, if not thousands, of years. Many families and clans that had hunted, gathered, and celebrated together for generations were abruptly and arbitrarily joined with other families and clans, disrupting long-established social networks and kinship systems that determined who could hunt, fish, and gather in particular areas (Hanson, 2009b).

Amendments to the *Indian Act* led to a requirement for First Nation reserve residents to secure a permit before selling or giving away any goods located or produced on reserves or by reserve residents (Smith, 2016), further restricting the lives of Indigenous peoples. This disruption of traditional networks and the significant changes to Indigenous traditional lifeways contributed to disproportionate levels poverty on many reserves; however, leaving reserves often meant facing discrimination, relinquishing one's First Nations status, and / or losing or jeopardizing connections to family and territory (Hanson, 2009b).





## 2.2.8 Residential School System

One of the most infamous consequences of the *Indian Act* was the promotion of the residential school system for Indigenous children. This was an extensive school system set up by the Canadian government and administered by churches, with intent to: indoctrinate Indigenous children into Euro-Canadian and Christian ways of living; and assimilate them into mainstream Canadian society (Hanson *et al.*, 2020). Duncan Campbell Scott, Head of Indian Affairs from 1913 to 1932, famously said in 1920 that “the goal of the Indian Residential School is to kill the Indian in the child” (Wilson & Hodgson, 2018).

The system originated from the mission system in the 1600s, when missionaries made plans to establish schools and farming settlements to try to educate, change, and settle Indigenous peoples. However, managing the schools and associated supplies proved challenging for the missionaries to carry out alone (OCCC, 1986). Following confederation, Canada’s first Prime Minister, John A. Macdonald, commissioned a study of industrial schools established for Indigenous children in the United States, and a recommendation to follow their approach to “aggressive civilization” led to the creation and funding of the residential school system (Hanson *et al.*, 2020), although some schools were funded by provincial governments or by the various religious orders (Union of Ontario Indians, 2013). An amendment to the *Indian Act* in 1894 made it mandatory for Indigenous children to attend school (TRC, 2015a). Further amendments to the *Indian Act* in 1920 and 1933 reinforced the requirement for every Indian child between the ages of 7-16 to attend a residential school, and led to the legal guardianship of Indian children attending a school being assumed by their principals upon the often forcible surrender of legal custody by their parents (Union of Ontario Indians, 2013).





The residential school system was primarily located off-reserve (and often far from Indigenous communities), and children generally attended for 10 months of year, although some children lived at the school year round (Union of Ontario Indians, 2013). A primary purpose of the schools was to systematically dissolve all aspects of Indigenous cultures and languages. English, and in some cases French, were the only languages allowed. Indigenous languages and practices were forbidden, with punishments – often severe ones – for children who broke these rules (TRC, 2015a). Students had their long hair cut short as a way to strip away their personal and cultural identities, and they were stripped of their clothing and dressed in uniforms (Hanson *et al.*, 2020). Their days were long and strictly regimented between academic learning, religious prayer, and manual labour and tasks (Union of Ontario Indians, 2013). Boys and girls were kept separate, and as a result, siblings rarely interacted, further weakening family ties (Hanson *et al.*, 2020).

It is estimated that over 150,000 Indigenous children attended one of the almost 140 residential schools established by Canada and the Catholic, United, Anglican, and Presbyterian churches across the country between 1857 and 1996 (CIRNAC, 2017); 16 of these schools operated in Ontario (Auger, 2005). Some Métis children also attended residential schools (APPA, 2019). Children living in the Treaty 9 area attended residential schools at Moose Factory, Chapleau, Pelican Lake, and Fort Albany (Archives of Ontario, n.d.). The St. Anne's Residential School in Fort Albany ran from 1910 to 1963, and was attended by children from the Fort Albany, Weenisk, Attawapiskat, Fort Hope, and Ogoki (Marten Falls First Nation) communities. It is estimated that by 1945, approximately 170 children attended the school, with half of their days spent doing schoolwork and the other half spent on manual labour and domestic tasks (Auger, 2005).

The residential school system struggled with funding, often resulting in poor and unsuitable nutrition, unsanitary conditions, and inadequate medical care. With crowded dormitories, infectious diseases like tuberculosis were rampant, often leading to death. The education received was generally insufficient as many teachers assumed that Indigenous children were unfit for anything more than a basic education which focused on practical skills and religious training.

Messages of the inferiority of Indigenous peoples, their culture, and lifeways were commonplace (TRC, 2015a). Emotional and psychological abuse was commonplace, physical abuse was considered standard punishment, and sexual abuse was common (Hanson *et al.*, 2020). Survivors of the school at St. Anne's in Fort Albany have described serious physical and sexual abuse at the hands of school staff (Roman, 2013), leading to criminal charges of former school staff in the 1990s. The abuses combined with the poor living conditions resulted in an extremely high death toll. In 1907, government medical inspector P.H. Bryce reported that 24 percent of previously healthy Indigenous children across Canada were dying in residential schools, and this figure did not include children who died at home where they were frequently sent when critically ill (Hanson *et al.*, 2020).





### 2.2.9 The Sixties Scoop

The Sixties Scoop refers to the mass removal of Indigenous children, including Métis children, from their families into the child welfare system, without the consent of families or communities in most cases. As the government began phasing out compulsory residential school education in the 1950s and 1960s, residential schools persisted as a boarding school, primarily for children whose families were deemed unsuitable to care for them. An amendment to the *Indian Act* in 1951 enabled the province to provide services to Indigenous peoples that were not available federally, including child protection (Hanson, 2009c).

Provincial social workers assigned to reserves often assessed child safety and welfare by mainstream cultural standards, without adequate education and training to recognize the problems rooted in generations of trauma related to residential schools. As a result, thousands of Indigenous children were removed from their homes and placed into the child welfare system starting in the 1960s and continuing up to 1990 (TRC, 2015a). By the 1970s, roughly one third of all children in care were Indigenous (Johnston, 1983, as cited in Hanson, 2009c). Many children lived in institutionalized care, or floated between foster homes, where incidences of physical and sexual abuse were not uncommon but often covered up (Fournier & Crey, 1997, as cited in Hanson, 2009c). Similar to the impacts of residential school, the ensuing cultural suppression (denial of their Indigenous identity) and abuse among Indigenous children in the welfare system led to significant impacts on psychological and emotional health (Hanson, 2009c).

### 2.2.10 The *Constitution Act, 1982* and Aboriginal Rights

Between 1977 and 1981, the federal government entered into discussions with the provinces to reform and take authority of the Constitution from the British government. Aboriginal political organizations were unsuccessful in getting a seat at the negotiations table, and the first proposal for the Constitution put forward in 1981 excluded Aboriginal and Treaty Rights. However, several months of lobbying by First Nations, Inuit, and Métis organizations led to the inclusion of two clauses in Section 35 of the Constitution: recognition of “existing Aboriginal and Treaty Rights”; and, definition of Aboriginal peoples that included all three groups (CIRNAC, 2017). The presence of the word “existing” means that section 35 only applies to Aboriginal and Treaty Rights that were not extinguished when the *Constitution Act, 1982* came into effect. Therefore, if a right was previously extinguished (e.g., through surrender to the Crown), it is not revived by Section 35 (Centre for Constitutional Studies, 2021).





While attempts were made to define existing Aboriginal Rights between 1983 and 1987, they remained undefined because of disagreements between Canada, Indigenous groups, and the provinces. As a result, responsibility to define the extent and scope of Aboriginal Rights, and to direct government policies and programs so that they respect these rights and prevent infringement on them, has fallen to the courts (CIRNAC, 2017).

Several Supreme Court cases have reaffirmed Indigenous rights to harvesting activities. The *R. v. Sparrow* (1990) was a precedent-setting case and the first decision by the Supreme Court to interpret Section 35. In 1984, Ronald Sparrow from the Musqueam Indian Band was arrested for fishing with a net longer than was permitted by his food fishing license. The Supreme Court of Canada ruled that Musqueam's Aboriginal Right to fish had not been extinguished and was an existing right. The court also ruled that the government cannot override or infringe on these rights without justification. This ruling led to what is now known as the "*Sparrow Test*", which sets out a list of criteria that determines whether a right is existing, and if so, how a government may be justified to infringe on it (Salomons & Hanson, 2009).

The *R. v. Van der Peet* (1996) case was pivotal in further defining Aboriginal Rights under Section 35. Dorothy Van der Peet, a member of the Stó:lō Nation, was charged with selling salmon that had been caught under a food-fishing license. The court ruled that fishing constitutes an Aboriginal Right, but the sale of the fish does not. The ruling led to what is now known as the "*Van der Peet Test*" or the "Integral to a Distinctive Culture Test", which establishes ten criteria that must be met for a practice to be affirmed and protected as an Aboriginal Right (Hanson & Salomon, 2009):

1. The perspective of Aboriginal peoples themselves.
2. The precise nature of the claim (what is being claimed as a right).
3. The practice, custom, or tradition must be of central significance to the society in question.
4. The Aboriginal Right must have continuity with the practices, customs and traditions that existed prior to contact.
5. Courts must take challenges with evidence into account (e.g., oral history of Indigenous peoples rather than written records).
6. Claims must be specific and not general.
7. The practice, custom, or tradition must be of independent significance to the group (i.e. central to the group's identity).
8. The practice, custom, or tradition be distinctive (i.e., characteristic part of the culture).
9. European influence is only relevant if the practice, custom, or tradition is integral to the Indigenous society because of that influence.
10. Courts must take into account both the relationship of Aboriginal peoples to the land and their cultures.



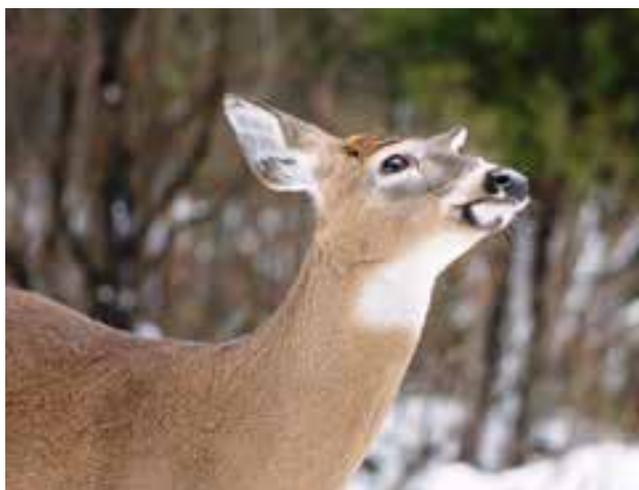


Critics of the *Van der Peet* Test point out that the test situates Aboriginal cultural practices in the past and ignores the dynamic, adaptive nature of culture by treating Aboriginal cultures and traditions as static and unchanging (Hanson & Salomon, 2009).

### 2.2.10.1 Métis Rights

The rights of Métis communities and individuals were historically excluded or simply ignored by the government, contributing to vulnerabilities and marginalization (Teillet, 2013). Miner (2022) notes that Métis providing for their families and communities were often charged with poaching and illegal fishing throughout the 20th century. The rights of the Métis were not formally recognized until Section 35 of the *Constitution Act, 1982*.

Since the early 2000s, two major Supreme Court of Canada decisions have initiated the long process of defining Métis rights, as well as highlighted the complexities associated with defining Métis identity in



the context of these rights. The first was *R. v. Powley* (2003), which forever transformed Métis harvesting rights. Two Métis hunters, Steve Powley and his son were charged with hunting a moose near Sault Ste. Marie without a license under the Ontario *Game and Fish Act*. They pleaded not guilty and asserted their Aboriginal Right to hunt. After a decade of court proceedings and a series of appeals by the Crown, the Supreme Court confirmed that as Métis people and members of a Métis community, the Powleys' right to hunt in the area was protected by Section 35 (Teillet, 2013). The evidence in the *Powley* case also showed that after the economic migration of Métis from the Great Lakes to the prairies in the early 19th century, a significant Métis population remained in the Great Lakes-Boundary Waters regions of Ontario (Teillet, 2013).



During the *Powley* case, the Supreme Court determined that the appropriate way to define Section 35 Métis rights is to modify the test used to define the Aboriginal Rights of First Nations, as determined *R. v. Van der Peet* (1996). The test to define Métis rights is now called the Powley Test and it includes ten components (Teillet, 2013):

1. The characterization of the right, including reason for harvesting (e.g., for food, for ceremonial purposes, etc.), the location of harvesting and other contextual information.
2. Verification of membership in the contemporary Métis community.
3. Identification of the historic rights-bearing Métis community with a distinctive collective identity that existed prior to when Euro-Canadians effectively established political and legal control in that area.
4. Identification of the contemporary rights-bearing community that is a continuation of the historic community.
5. The historical timeframe for the practice, which must have been undertaken post-contact but before Euro-Canadian political and legal control.
6. Whether the practice was integral to the claimant's distinctive culture.
7. Whether the practice is continue by the Métis community.
8. Whether the right was extinguished by the Crown by constitutional enactments, federal legislation, or by agreement with the Aboriginal people.
9. Whether the right was infringed upon for any reasons.
10. If the right was infringed upon, whether the infringement was justified.





In 2016, following a 17-year court battle, the Supreme Court of Canada ruled in the *Daniels v. Canada* case that Métis and Non-Status Indian are considered “Indians” under Section 91(24) of the *Constitution Act, 1867* (Gaudry, 2009). This interpretation means that the federal government holds the legal responsibility to legislate on issues related to Métis and Non-Status Indians rather than provincial governments. The case ended a long standing situation of legal uncertainty where neither levels of government took responsibility for the Métis and Non-Status Indians (Roy, 2021). The Supreme Court commented that Métis and Non-Status peoples had been essentially in a “jurisdictional wasteland with significant and obvious disadvantaging consequences” (*Daniels v. Canada*, 2016, para. 14). While the ruling does not grant Indian Status, as defined by the *Indian Act*, to Métis and Non-Status peoples, the ruling has resulted in new discussions and negotiations with the federal government over land claims, rights, self-governance, and access to education, health programs, and other government services (Roy, 2021).

Canadian legal definitions of Métis have further complicated the situation with respect to Métis Rights. The *Powley* case established who can legally qualify for Métis Rights and specific criteria to be considered Métis: the individual must self-identify as Métis, have an ancestral connection to a Métis community, and be accepted by that community as a member. However, in the *Daniels* case the Federal Court defined Métis as “a group of native people who maintained a strong affinity for their Indian heritage without possessing Indian status” (cited in Teillet, 2013). As noted by Teillet (2013), this definition separated individuals from Aboriginal collectives and held that there is no need for any ancestral connection to a Métis group and no need for community acceptance, and ultimately eliminated the Métis as a separate Aboriginal people. Regardless, the criteria of the *Powley* decision still define which Métis communities have Aboriginal Rights.

The *Powley* Test has been identified as problematic in that the criteria for being Métis is exclusionary to urban Métis families who may have lived in the city for generations, as well as people who have mixed Aboriginal and non-Aboriginal ancestry yet are not connected to a contemporary Métis society. This has contributed to tensions between different Métis groups (Ouellet & Hanson, 2009), and heated debate among many Métis people in Canada (Gaudry, 2009). As noted by Ouellet and Hanson (2009), it is expected that “the issue of Métis identity will continue to be the topic of much debate and discussion since Métis Rights depend on identifying the people who are entitled to such rights, and then specifying what those rights are” (para. 6).





## 2.2.11 Legislative Developments

In the period following the signing of Treaty 9, further British and later Canadian Governments laws, regulations, and policies on northern Ontario, contributed to growing intervention and regulation of Indigenous peoples by both the federal and provincial governments. This section reflects on some of the key legislative developments that have governed natural resource and land use, and the associated effects on the rights of Indigenous peoples in the region. It is important to note that this section is not exhaustive nor reflective of all legislation that may have impacted Indigenous peoples in the region.

### 2.2.11.1 Fish & Game Regulations

At the time of the Robinson treaties (1850), there was very little, if any, competition for fish resources from European fisherman, particularly in Lake Superior and areas to the north. There was also no comprehensive legislation pertaining to fish in place at the time. For varying periods of time, and depending on the location, the government generally did not restrict the full and free privilege to fish provided for by the Robinson treaties. However, changes occurred with the passage of comprehensive fisheries legislation and the drafting of subsequent treaties, including Treaty 9 (Hansen, 1991).

The first passage of comprehensive fisheries legislation came in 1857 with the *Fisheries Act*, under which the Department of Crown Lands became responsible for fisheries in Upper and Lower Canada. The Act did not contain any specific references to Indigenous people. An amendment in 1859 provided for the first time for special fishing

Treaty 9 was negotiated between Canada and Ontario at a time when federal-provincial jurisdiction over fisheries was well established. One of the treaty's provisions full reflected the state of fisheries legislation, in that the right to hunt, trap and fish is subject to regulations that may be made by "the government of the country".





licenses and leases on lands belonging to the Crown, with no specific reference to Indigenous people. Shortly after this, an agreement between the Department of Crown Lands and the Indian Department “for the protection of the interest of native tribes” was reached (as cited in Hansen, 1991, pg. 6). The agreement suggested that Indigenous people were considered subject to the regulations of the Act since they were exempt from paying fees for fishery leases anyways. However, they were exempt in cases of fishing for domestic consumption only, and they were subject to the regulations otherwise (i.e., when fishing commercially or for trade). Thus, fishing rights were being interpreted as domestic consumption fishing rights only (Hansen, 1991).

Amendments to the *Fisheries Act* in 1865 provided a regulation with respect to Indigenous fisheries for the first time. The regulation specifically referred to the allowance of ‘certain Indians’ to fish for their own use as food, reinforcing the interpretation of Indigenous fishing rights as rights related to domestic fishing purposes only. It also added a new component – an open season – which reflected developing conservation principles (Hansen, 1991). After confederation, Canada implemented the first federal *Fisheries Act* in 1868. The Act maintained the provisions of the preceding acts, including the licensing of Indians to fish for their own use. In addition, Indian fishermen were considered to be subject to all regulations (Hansen, 1991).

The government of Ontario was not involved in the legislative aspects of resource management until 1885 with the passage of the *Ontario Fisheries Act*. It contained several provisions from the federal act, and like his federal counterpart, the Ontario Commissioner of Crown Lands was authorized to establish licensing (Hansen, 1991). In 1890, a royal commission on game and fish was appointed to make recommendations with respect to these resources in the province.

The overlapping jurisdictional issues with respect to federal and provincial fisheries legislation were eventually resolved through the courts, where it was ruled that Canada had the authority to enact legislation for inland fisheries and Ontario had proprietary interests in fisheries and the authority to issue licenses for fisheries in the province (Hansen, 1991).





The expansion of the railway network led to new settlement in the region, which in turn led to an increase in the number of sportsman and tourists visiting the region and increased pressures on fish and wildlife. Upon recommendation by the commission, Ontario created the *Game and Fisheries Act* in 1892, replacing the previous fisheries legislation. In turn, the Act intensified enforcement for First Nations in Ontario (Calverley, 2009).

Under the new legislation, a series of law changes were enacted to address declining game populations, including: a new range of closed seasons for some of the most desirable species, such as deer, moose, and elk; new seasons for game birds; and complete hunting bans on certain species. In addition, new license requirements were introduced for non-residents and system of game overseers were established to enforce game laws and penalties (Calverley, 1999). Regardless of these efforts, wildlife populations continue to decline (Bate, 2023).

Initially, the *Game and Fisheries Act* contained a clause exempting treaty Indian hunters from the legislation based on their Treaty Rights. However, the clause referencing Treaty Rights was eventually removed from the Act in 1914 and by 1927, all hunting exemptions for First Nation hunters had been removed from the Act – all “persons” affected by the Act were now defined to include “Indians”. By this time, game laws in Ontario included complete hunting bans on moose and deer, bag limits, quotas, required licensing, and hunting seasons (Bate, 2023). As a result of the hunting regulations, Indigenous hunters’ control over resources, secured through treaty, was restricted, impacting their cultural lifeways.

A jurisdictional challenge arose with the application of the provincial Act to Indigenous peoples with Treaty Rights, which were under federal jurisdiction. Indian Affairs began to take increased interest in securing Indigenous peoples harvesting rights, as Indian Agents increasingly became allies to communities in the north.





As noted by Calverley (1999), after almost three decades of complaints, letters and petitions from the Anishinaabeg, some Indian Agents came to understand Indigenous perspectives on the application of provincial legislation; in part, the Act was taking food out of the mouths of Indigenous people. In terms of game depletion, the agents generally believed the increase in settler hunter and sportsman were the main conservation threat. Indian Affairs generally adopted a more proactive approach in relation to Indigenous hunting and trapping rights for a period. However, Indian Affairs was not completely opposed to regulating Indigenous hunting, and they would not openly challenge the Ontario government over treaty rights (Calverley, 1999).

In response to the *Sparrow* ruling (see [Section 2.2.9](#)), the Ontario Ministry of Natural Resources issued an *Interim Enforcement Policy on Aboriginal Hunting and Fishing* in 1991 that states Aboriginal people harvesting game or fish for personal consumption or social or ceremonial purposes in their treaty areas or traditional lands will generally not be prosecuted. However, this policy was meant to be an interim measure and when the province enacted a new *Fish and Wildlife Conservation Act* in 1997, neither it, nor the detailed regulations under it, make any reference to Treaty or Aboriginal Rights to harvest.

#### **2.2.11.2 The Registered Trapline System**

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In response to declining populations of fur-bearing species, and complaints from Indigenous trappers about other trappers encroaching into their territories, the government of Ontario issued new game regulations under the *Game and Fisheries Act* of 1946 that included the creation of the Registered Trapline System (Finch, 2020; Sutherland, 2020). While it was first implemented in southern Ontario, by 1948 the regulations applied to the north. Traplines established in the north were based on watersheds rather than the township system used in the south, as directed by the Department of Indian Affairs (Finch, 2020).

In the years following the introduction of the system, Indigenous trapping was impacted by several key factors such as new wildlife laws, changing lifeways, increased wage labour opportunities, increasing government aid, and multiple outbreaks of tularaemia, an infectious disease that affects beaver and muskrat (Finch, 2020). Input from Indigenous communities, including concerns that the established



trapping seasons did not work in the north because of the different climate in the James Bay region, were not reflected in trapping regulations (Sutherland, 2020). In addition, the Registered Trapline System involved licenses, registration, and quotas, all of which was foreign to Indigenous trappers (AMEC, 2004b, as cited in Tsuji *et al.*, 2011).

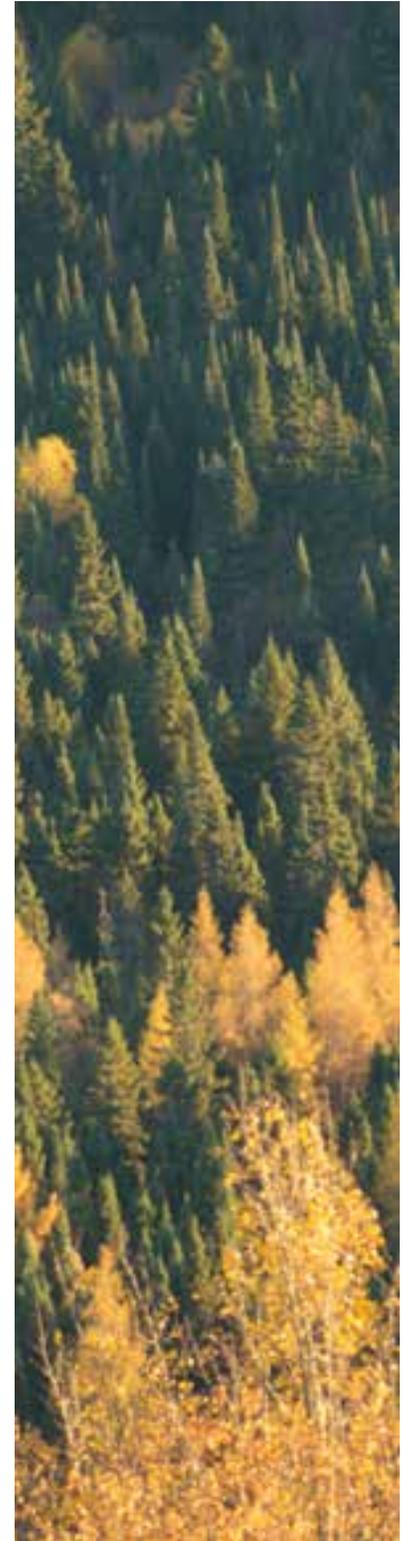
### **2.2.11.3 Ontario Far North Act**

In response to the need to balance development potential with conservation in the north, the provincial government launched the *Far North Planning Initiative* in 2008 (Bowie, 2017). The purpose of the initiative was to direct economic development, support conservation, and address Aboriginal and Treaty Rights through the development of community-based land use plans for the Far North region – an area that represents over forty percent of the province (MNR, 2011, as cited in Bowie, 2017).

The purpose of the 2010 *Far North Act* is to provide community-based land use planning in the Far North region that (*Far North Act*, 2010, s.1):

- Sets out a joint planning process between First Nations and Ontario;
- Supports the environmental, social and economic objectives for land use planning for the peoples of Ontario; and,
- Is done in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights.

The land use planning process established under the Act entails the development of a terms of reference by a First Nations community interested in participating, which must then be approved by the Minister of Natural Resources, who then designates a planning area for the Community Based Land Use Plans (*Far North Act*, 2010, s. 9). The plans are intended to include maps that show historical and contemporary Indigenous use in the area. Communities can designate areas of significant cultural value such as burial sites, waterways and travel routes to be protected, caribou migration routes and areas to be considered open for or closed to mineral exploration. At least one protected area must be identified through the planning process (*Far North Act*, s. 9(9)(c)(d)). However, the plans must be jointly approved by the First Nation and the Ministry,





and once the final plan is approved, all decisions to authorize land use activities must be consistent with the land-use designations in the plan. For First Nations communities in the Far North, community-based land use plans signify inherent jurisdiction over lands and the authority to make decisions on contested land uses (Scott *et al.*, 2018).

The legislation has been contested by First Nations and their regional organizations based on the level of and approach to consultation undertaken by the province, and concerns about how the recommendations provided by First Nations were incorporated. While amendments were made, including the addition of “joint bodies” that could be established with interested First Nations, the province retains ultimate decision-making powers related to amendments, policy documents, and exemption orders related to land use strategies (Gardner *et al.*, 2012).

The Act was recently amended in December 2021, following the recommendations identified in a joint process with Nishnawbe Aski Nation and the Ministry of Northern Development, Mines, Natural Resources and Forestry, and in consultation with First Nations and stakeholders in the region. Amendments were made to “encourage collaboration between Ontario and First Nations on land use planning and foster economic growth in the region while maintaining critical cultural and environmental protections” (Environmental Registry of Ontario, 2021).





## 2.3 Cumulative Effects to Aboriginal and Treaty Rights and Interests

For roughly seven generations nearly every Indigenous child in Canada was sent to a residential school. They were taken from their families, tribes and communities, and forced to live in those institutions of assimilation. The results while unintended have been devastating. We witness it first in the loss of Indigenous languages and traditional beliefs. We see it more tragically in the loss of parenting skills, and, ironically, in unacceptably poor education results. We see the despair that results in runaway rates of suicide, family violence, substance abuse, high rates of incarceration, street gang influence, child welfare apprehensions, homelessness, poverty, and family breakdowns. Yet while the government achieved such unintended devastation, it failed in its intended result. Indians never assimilated.

– Honourable Justice Murray Sinclair speech to the United Nations, 2010

The long history of colonialism in Canada and associated actions, legislation, and policy has involved both recognition of, and infringement on, the Aboriginal and / or treaty rights of Indigenous peoples in the region and across the country. This history has also been described as constituting cultural genocide (TRC, 2015b). The traditional lifeways, culture, and language of Indigenous peoples, including the Anishinaabeg, Omushkegowuk, and Métis of the region, have been forever transformed, in part because of centuries of displacement from their traditional land bases and use of resources. When combined with ongoing colonial structures and approaches that continue to overlap with the Aboriginal and Treaty Rights and Interests of Indigenous peoples, these changes impact cultural continuity and well-being as the ability of Indigenous peoples to transmit Indigenous knowledge, culture, and lifeways out on the land is increasingly challenged.



Colonial systems of governance and justice that have superseded and / or failed to respect the inherent jurisdiction of Indigenous peoples, and the spirit and intent of the treaties with the Crown, have been imposed on Indigenous peoples in the region for centuries (Anishinabek Nation Legal Department, 2018). Moreover, attention to Indigenous men rather than women and the application of patriarchal assumptions and approaches by European traders, missionaries, and political leaders have exacerbated violations to Indigenous governance by overlooking a segment of the population (i.e., women) that prior to contact, held important roles in leadership.

The impacts go well beyond Aboriginal and / or Treaty Rights and Interests. While Canada has become a member of the world's leading nations, Indigenous peoples, including the Anishinaabeg and Ojibwegowuk, continue to experience disproportionate inequities to the general Canadian population (OCCC, 1986). As noted by Matheson *et al.* (2022), the ongoing implications of various systemic structures experienced by Indigenous peoples has resulted in poor housing conditions, food insecurity, and the absence of potable water on some reserves. Many Indigenous people continue to experience the long term and often debilitating impacts of residential schools, and those that survived were often unprepared to succeed in the market economy or to pursue traditional activities such as hunting and fishing. In many cases, family connections were permanently broken. The overall suicide rate among First Nations communities is about twice that of the total Canadian population (TRC, 2015a). Indigenous peoples face higher rates of infant mortality, a greater burden of disease, and reduced life expectancy (Smylie & Firestone, 2016). In addition, Indigenous peoples are significantly overrepresented in the Canadian criminal justice system (RCAP, 1996, as cited in Government of Canada, 2023). Despite all of these atrocities and outcomes, Indigenous peoples are reclaiming their rights and reconnecting to their cultural roots.





## 2.4 Reconciliation and Looking to the Future

In more recent decades, there is increased awareness about colonization and its ongoing effects on Indigenous peoples. These efforts began with the establishment of the Royal Commission on Aboriginal Peoples in 1990, whose mandate was to study the evolution of the relationship between Indigenous peoples, the government of Canada, and Canadian society as a whole (Doerr, 2006). The Commission released a five-volume report in 1996 that ultimately noted that a complete restructuring of the relationship between Indigenous peoples and non-Indigenous peoples in Canada is needed (Doerr, 2006); the findings of the Commission’s report have informed this one.

In 2008, the Truth and Reconciliation Commission was established as part of the Indian Residential School Settlement Agreement. The Commission was established to guide Canadians through the difficult facts of the residential school system, and to “lay the foundation for lasting reconciliation across Canada” (Moran, 2015, para. 1). The Commission conducted community hearings across the country to hear from Indigenous peoples directly. A six-volume final report documents the experiences of Indigenous peoples and identifies 94 Calls to Action to advance the process of reconciliation was released in 2015; the findings of the Commission’s report have also informed this one. .

While there has been a recent focus, including efforts and actions on reconciliation with Indigenous peoples, many Indigenous communities, including Marten Falls First Nation, continue to experience day-to-day challenges with access to basic human rights including health services, education, personal and community safety, food security, and more. For Marten Falls First Nation, the development of the Community Access Road is an act of reconciliation – it helps to address access to basic rights while providing an opportunity to support Marten Falls First Nation’s self-determination and their ability to pursue economic prosperity, social and community well-being and cultural continuity.



# Fort Albany First Nation



The information presented in this section of the report is based on the Proponent's current understanding of Fort Albany First Nation's rights and interests in relation to the study areas for the Aboriginal and / or Treaty Rights and Interests impact assessment.

The information in this section of the report has been sourced from information, inputs, and materials provided directly by Fort Albany First Nation through the Project's Consultation Program, and publicly available source information where appropriate. Fort Albany First Nation was invited to participate in the Project's Indigenous Knowledge Program; however, at the time of developing this report, the community has not yet provided a Project-specific Indigenous Knowledge and Indigenous Land and Resource Use report or information.

The objective of the Proponent to share this information with Fort Albany First Nation early in the assessment processes to enable collaboration and discussion. The overarching goal is to enhance the Project Team's understanding of Fort Albany First Nation Aboriginal and / or Treaty Rights and Interests in relation to the proposed Project. Meetings have also been requested to discuss Fort Albany First Nation's knowledge, rights, and interests. However, at the time of preparing this report, Fort Albany First Nation had not responded to meeting requests.

### Imagining Access – Why the Project?

The Project will offer Marten Falls First Nation the opportunity to grow as a community but also be part of the social and economic fabric of the region and country. The Community Access Road will reduce transportation costs for goods and services, making food, gas, and other supplies cheaper. It will help families be together in the community and increase social interactions with other communities. It will also provide a vital connection to emergency, health, and social services.





## 3.1 Community Profile

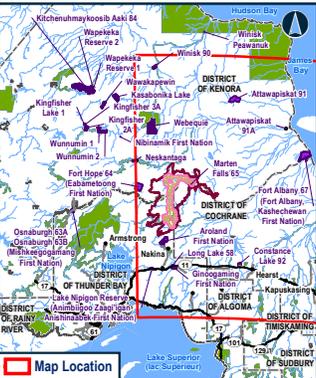
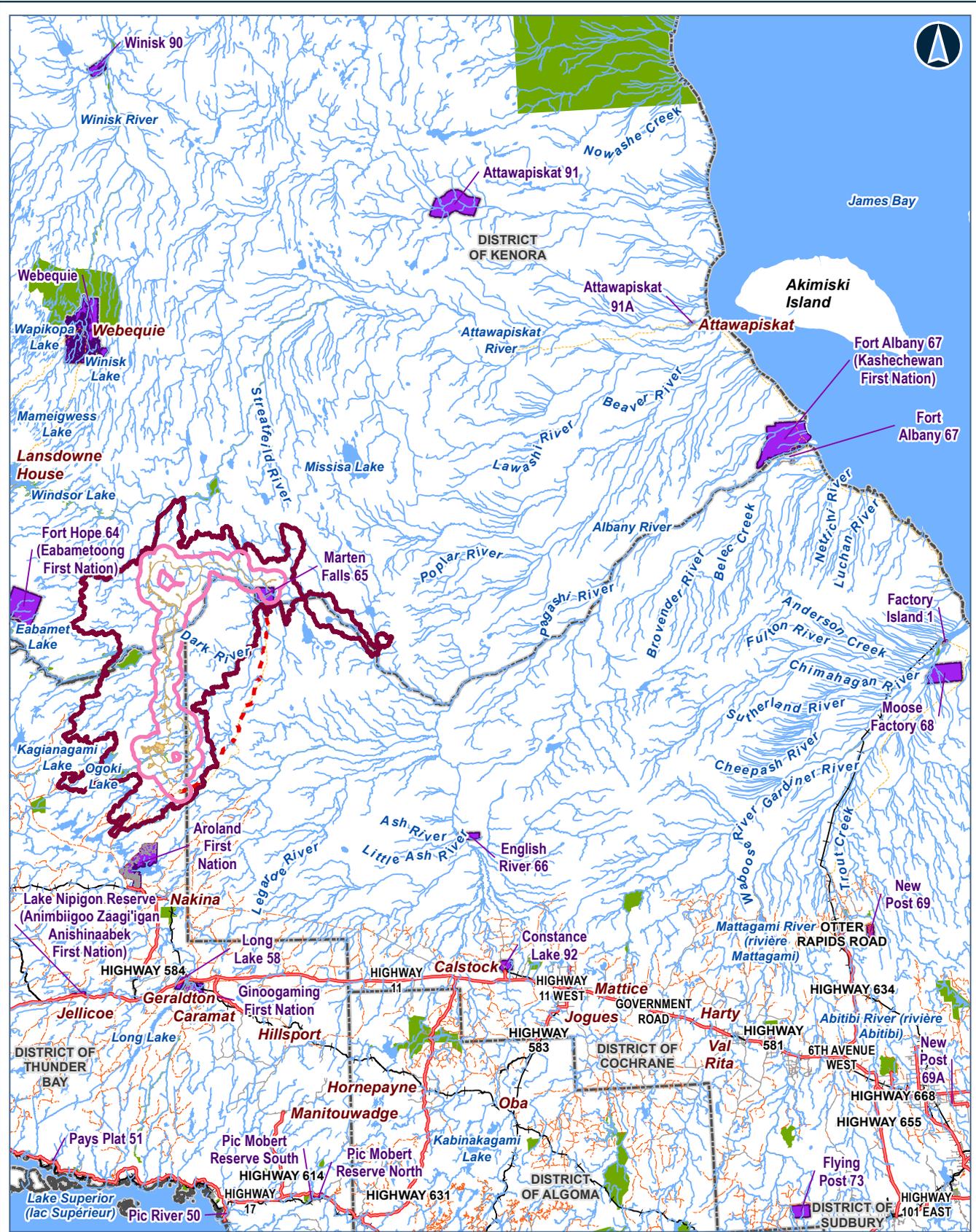
Fort Albany is an Ojishkegowuk community located within the Hudson Bay Lowlands, 10 km upstream the *Kistachowan Sipi* (Albany River) from James Bay, and 580 km north of Timmins (**Figure 3-1**) (Russell, 1998). In the 1950s, the Fort Albany 67 Reserve divided into two communities, Fort Albany First Nation and Kashechewan First Nation, due to religious differences (Five Nations Energy Inc., 2012). The Anglicans formed the community of Kashechewan First Nation and the Roman Catholics remained as Fort Albany First Nation. The community of Fort Albany First Nation is located on the southern shore of the Albany River and is 12 km away from Kashechewan First Nation, located on the north shore of the Albany River (Talaga, 2019).

Kashechewan First Nation and Fort Albany First Nation are collectively referred to as ‘Albany’ in the Indigenous Services Canada First Nation Profile. As of September 2023, Kashechewan First Nation and Fort Albany First Nation has 5,425 registered members. Of these, 3,238 (60%) live on reserve in the community, and the remaining 2,187 (40%) live elsewhere (Government of Canada, 2021b).

Fort Albany First Nation is a remote, coastal, fly-in community, accessible only by plane year-round. The community depends on air transportation and limited shipping by barge for goods and travel in the summer months. In the winter, the community is connected to other First Nation communities and towns on the James Bay coast by winter roads that are seasonally constructed, including Kashechewan First Nation, Attawapiskat First Nation, Moosonee, and Moose Factory (Bowie, 2008; Hori, 2016). The remote nature of the community means that the cost of living and goods, and air travel outside of the community to access services, can be very high.

**Sections 3.1.1 to 3.1.5** provide information about Fort Albany First Nation’s pre- and post-contact history, reserve lands, language, and governance.





**Legend**

- First Nation Reserve
- ATRI Local Study Area
- ATRI Regional Study Area
- Project Development Area

**General Features**

- Highway
- Major Road
- Local Road
- Winter Road
- Resource / Recreation Road
- Service Road
- Alleyway
- Existing Winter Access Road
- Railway
- Watercourse

- District Municipal Boundary
- Waterbody
- Provincial Park

Data Source:  
Base Data: Provided by MNRP 2019; Route Infrastructure - Provided by AECOM 2019. Contains Information licensed under the Open Government Licence Ontario.

**MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD**

Fort Albany First Nation  
Area of Interest

0 10 20 40 60 80  
Kilometres

Datum: NAD 1983 CSRS UTM Zone 16N

Nov, 2023	1:2,000,000 when printed 11"x17"
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**Figure 3-1**

Contains information provided by Ontario Ministry of the Environment, Conservation and Parks or by Ontario Ministry of Natural Resources and Forestry (Ontario's Crown's Printer of 2020), through a Service Data License Agreement. This drawing has been prepared for use of AECOM client and may not be reproduced or relied upon by third parties, except as approved by AECOM and its clients, as required by law or by government reviewing agencies. AECOM accepts no responsibility, and denies any liability whatsoever, to any party that modifies this drawing without AECOM express written consent. The use of Satellite Data in this drawing does not constitute an endorsement by the Ministry for this drawing by AECOM of the Satellite Data.

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### 3.1.1 Pre-Contact History

Before the fur trade, the territory around the settlement of Fort Albany was part of the regional economy where Cree people harvested and preserved food and camped together. Cree people frequented a lake on the mainland to harvest berries and fish and spend time in the fall and spring in goose camps in the immediate area of the present settlement (Russell, 2013). Individuals had valuable roles in the social structure, regardless of age and physical stature. The care of individuals within the collective society was a community responsibility (Nishnawbe-Aski Nation, 1993).

Prior to the fur trade, the Cree people lived by trapping, hunting, and fishing according to an established seasonal cycle. They lived in semi-permanent lodges made of animal hide and bark lodges, and travelled by toboggan and snowshoe in winter months. They travelled by canoe and larger boats when open water allowed (Reimer & Chartrand, 2005).

Social organization were formed by family ties, and people would travel together in small groups of families (Honigmann, 1961; Reimer & Chartrand, 2005). These small groups were held together by kin bonds, and were informally led by a male based on his age and wisdom. These small groups were linked through marriage ties, and larger groups were comprised of 15 or so families. Each large group of families occupied a specific river drainage (Honigmann, 1961).

A more comprehensive overview of the pre-contact context, including seasonal lifeways, culture and worldview, learning and knowledge building, governance and legal principles, and resource management and stewardship, is provided in [Section 2.1](#).





### 3.1.2 Post-Contact History

The fur trade began in the region in the 1680s. In 1683, the name Fort Albany was given to the trading post established by the Hudson's Bay Company, sometime between 1674 and 1678, on the south shore of Albany Island, at the mouth of the Albany River (Kenyon, 1986, as cited in Russell, 1998; Wallace, 1948, as cited in Bélanger, 2005). In addition to Fort Charles and Moose Factory, Fort Albany was one of the first trading posts in North America (Russell, 1998). By 1682, Fort Albany was the busiest post due to its coastal location and selection of goods, compared to the inland posts. This solidified the decision to expand operations at Fort Albany and make it the governor's residence.

In 1686, the Fort Albany post was taken by the French and renamed Fort Ste. Anne, until it was retaken by the English in 1689. The post was taken again by the French in 1692, the English in 1693, and the French in 1695. In 1696, Fort Albany was surrendered to the English (Bélanger, 2005). Fort Albany was the most active and prosperous post for the English fur trade between 1701 and 1715 (Russell, 1998).

The existing regional economy proved important as the Hudson's Bay Company depended on the skills of Cree people for procuring resources, while Cree people adapted settler goods for their own purposes. The trading post at Fort Albany supported a mixed regional economy that included pathways for travel between other trading and harvesting areas. The settlement was also the regional location for international economy (Russell, 2013). The *Final Report of the Royal Commission on Aboriginal Peoples* describes local linkages, serving as meaningful context throughout the north (Royal Commission on Aboriginal Peoples, 1996, p. 400, as cited in Russell, 2013, p. 136):

The Northern Aboriginal community is not just a collection of buildings. It extends beyond dwelling places to include land for fishing, gathering, visiting, trapping, hunting, and memorable places where important events occurred. Northern Aboriginal peoples' tenure in the settled communities of today is relatively recent; they have lived in more mobile, family-centered communities for centuries. In modern times, the attachment to the land and the strong sense of collectivity remains.





In 1892, Roman Catholic missionaries set up permanent residence alongside the Hudson's Bay Company, Fort Albany trading post. Similar to the traders, the missionaries participated in a mixed economy; however, the missionaries envisioned a town, and created a new settlement in 1903 for Catholic Cree people (Cummins, 1990; Russell, 2013). A residential school was opened and run by the Grey Nuns. Over the next 70 years, the residential school building and subsequent infrastructure including the school, a hospital, residences, a small hydroelectric dam, and town services were managed by the Catholic mission (Russell, 1998). This has been perceived as an attempt to control the Cree people through residential education, religious evangelism, and its own economy. However, the Cree culture and language persisted as the Fort Albany settlement had developed its own economic, social, cultural, and political ties within the region, and national and international interests (Cummins, 1990; Russell, 2013).

The Roman Catholics moved their mission to the mainland in 1932 due to the original mission at Fort Albany being prone to flooding. This move further separated the Roman Catholic and Anglican missions. The Anglican Mission remained in Kashechewan First Nation, on the north side of the Albany River (Russell, 1998).

In a personal narrative from Theresa Metatawabin, made in Fort Albany First Nation in 1994, the introduction of national currency and welfare is discussed (Russell, 1998, p. 94):

In 1965 was when there was the first real currency in the community, and welfare too. Before then, people lived on credit; charge up a debt (at the Hudson's Bay Company) then pay off the debt. People used to get paid with tokens. I worked 21 years at the residential school, ten years in the kitchen, and 11 years as janitor. Now I am on a pension.

Soil and vegetation contamination associated with a Mid-Canada Line Radar Line site near Fort Albany First Nation was confirmed in 1999 (Bertrand, 2008). The Mid-Canada Radar Line was built during 1957-1965 due to concerns about a nuclear attack from the Soviet Union. Improper decommissioning of the Mid-Canada Radar Line has led to ongoing contamination and concerns amongst First Nations about contamination and the traditional diet (Bertrand, 2008). Specifically, significantly elevated levels of polychlorinated biphenyls and other organochlorines in and around Site 050, located on Anderson Island near Fort Albany, have been confirmed in soil and vegetation and are considered as hazardous waste. Fort Albany First Nation community members have been involved in activities such as swimming, harvesting, and collecting drinking water around the Site 050 area (Bertrand, 2008).

Sites and local stories remain in Fort Albany Fort Nation that are representative of a colonial past. The hydroelectric dam, a barn, and a heap of old concrete have been left in the community from the mission. Buildings within the village have been





built with local materials including prefabs supplied through Indian Affairs (now Indigenous Services Canada) and those scavenged from the derelict radar base. Local stories discuss the exploitation of locals to provide labour for the mission, and the radar base (Russell, 2013).

In 1994, a series of dykes were constructed to prevent flooding in the Fort Albany settlement. This massive two-year project was completed in October 1995 and was organized by the Fort Albany First Nation Economic Development Office (Russell, 1998).

In January 2007, Fort Albany First Nation undertook a community project called *Paquataskamik* (natural environment). *Paquataskamik* aimed at generating discussion about the importance of the Albany River and eventually set the stage for what became a larger and more sustained effort at building a process for engaging people in meaningful dialogue about water and land issues in *Mushkego Inninowuk* (traditional territory). *Paquataskamik* had a number of iterations and included various initiatives (e.g., excursions, a film [*Paquataskamik* is home, 2011], language activities, and community mapping in both English and the *Inninowuk* language, etc.) aimed at evoking an *Inninowuk* way of being that was specifically located in place (Gruner, 2012).

In the summer of 2018, Fort Albany participated in the Sibi Project, which aimed to revitalize traditional fishing practices in the Albany River system. Throughout the program, Elders and on-the-land experts shared knowledge with youth regrading traditional fishing practices. Barriers to being on the land were addressed through the program, in addition to community social networks being revitalized and Indigenous Knowledge being transferred (Ahmed et al., 2023).

The Fort Albany First Nation community continues to deal with issues associated with a remote fly-in community, including issues related to education, health-care, housing, poverty, and the impacts of Canada's colonial practices (Gruner, 2012). Fort Albany First Nation has also experienced major flood events, and community members have raised concerns about mold in homes and the associated health risks flooding (Hori, 2016).

Fort Albany First Nation has also identified a variety of factors that have cumulatively impacted the community, including (Fort Albany First Nation, 2020):

- The diversions of the Albany River system, which have permanently altered the environment and the way of life for community members;
- The 1965 Indian Welfare Agreement which displaced people and impacted traditional ways of life and family structures;
- The Mid Canada Radar Line Site 050, which contaminated the lands and waters, contributing to high rates of chronic, disabling, and/or lethal human health condition;





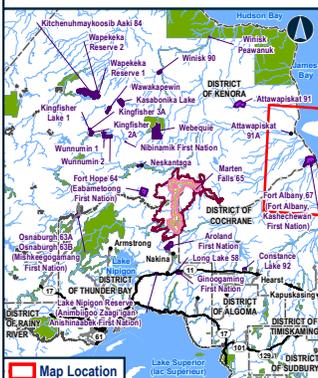
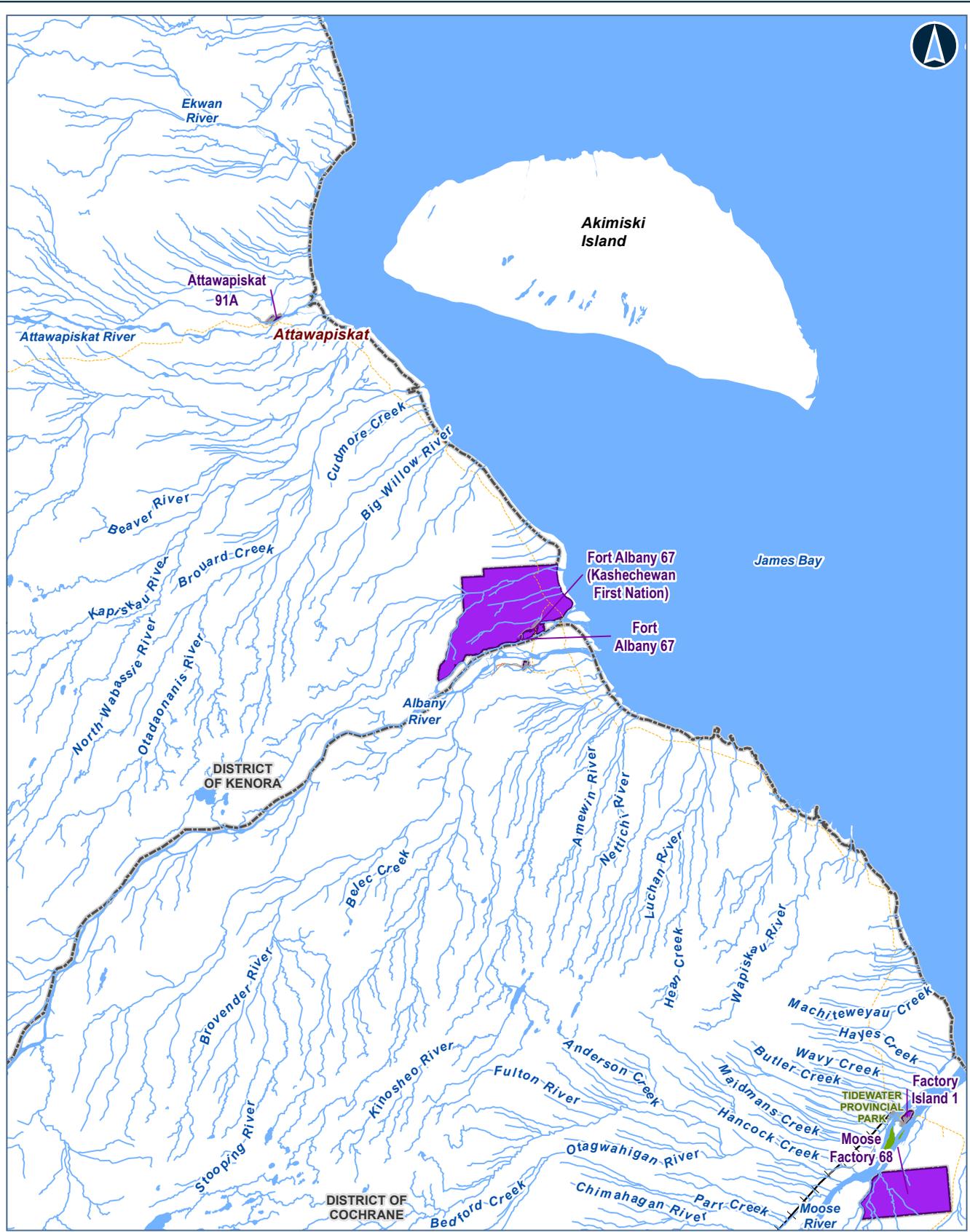
- Indian residential schools and day schools, which caused intergenerational trauma, loss, and suffering;
- Acid rain, which has caused harm to the muskeg;
- Mining exploration and development, which has impacted environmental and human health and impeded use of the land; and,
- Climate change, which is resulting in deviations to the seasons and the environment.

A more comprehensive overview of the post-contact context, including the fur trade, early legislation and policy and associated impacts on Indigenous peoples, the numbered treaties established in the region, perspectives on Aboriginal Rights, and legislative developments that have governed natural resource and land use, is provided in [Section 2.2](#).

### 3.1.3 Reserve Lands

Fort Albany First Nation has one reserve, Fort Albany 67, on the south bank of the Albany River, approximately 15 km upstream from James Bay ([Figure 3-2](#)). The reserve is 3645.70 ha in size (Government of Canada, 2021c).





**Legend**

- First Nation Reserve
- ATRI Local Study Area
- ATRI Regional Study Area
- Project Development Area
- District Municipal Boundary
- Waterbody
- Provincial Park
- Local Road
- Winter Road
- Resource / Recreation Road
- Railway
- Watercourse

Data Source: Base Data Provided by MNR 2019; Route Infrastructure - Provided by AECOM 2019. Contains information licensed under the Open Government Licence Ontario.

**MARTEN FALLS FIRST NATION  
COMMUNITY ACCESS ROAD**

Fort Albany First Nation  
Reserve Lands



Datum: NAD 1983 CSRS UTM Zone 16N

Nov, 2023	1:800,000
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**Figure 3-2**

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### 3.1.4 Language

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Fort Albany First Nation is a Swampy Cree (n-Dialect) speaking community (Spence & Literacy Ontario, 1996). In the *Inninoowuk* (Cree) language, *Peetabeck* or *Peetabego* is the name for Fort Albany (Restoule et al., 2013).

According to the 2016 Census (Government of Canada, 2021d):

- Approximately 79% of the population has knowledge of the Cree language;
- Approximately 74% of the population reported Cree as their mother tongue (the first language they learned and still know); and,
- Approximately 67% of the population speaks Cree at home.

### 3.1.5 Governance

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Fort Albany First Nation is a signatory to Treaty 9. See [Section 2.2.5.2](#) for more information on Treaty 9.

Fort Albany First Nation has a Custom Electoral System. Leadership includes a Chief, a Deputy Chief, and nine Councillors (Government of Canada, 2021e).

Fort Albany First Nation is affiliated with the Mushkegowuk Council, and the Nishnawbe Aski Nation also represents them as a signatory of Treaty 9 (NAN, 2020; FAFN, 2021).



## 3.2 Understanding of Rights & Interests in Relation to the Project

**Section 3.2.1** and **3.2.2** describe the current understanding of Fort Albany First Nation's Aboriginal and / or Treaty Rights and Interests in relation to the proposed Project. As noted in **Section 3.0**, this understanding was developed based primarily on a comprehensive literature review of publicly available sources of information and information provided by Fort Albany First Nation to the Proponent through the Consultation Program.

### 3.2.1 Aboriginal and Treaty Rights Relevant to the Project

It is anticipated that Fort Albany First Nation asserts its Treaty 9 and Section 35 rights. It is recognized that Fort Albany First Nation "has inherent, Aboriginal, and treaty rights that are reflected in [their] own law (which includes natural law), in the Canadian law including the Constitution, and in international law" (Fort Albany First Nation, 2020, p. 2).

According to the Mushkegowuk Council's Declaration of Rights and Responsibilities (Mushkegowuk Council, n.d.a.), the following rights and responsibilities apply to Omushkego communities:

- Responsibility to maintain spiritual values, language, traditions, and culture;
- Right to be self-governing;
- Responsibility to ensure all Omushkego citizens have the opportunity for an appropriate standard of living;
- Responsibility to be guardians of the lands and resources;
- Right to live on the land of Omushkego ancestors;
- The rights to harvest and develop on the land;
- Responsibility to ensure that Omushkego citizens share in the wealth of the land;
- Responsibility to be clear with the federal and provincial governments about Omushkego understanding of the treaties;



- Right to have the spirit and intent of the treaties and agreements that affect Omushkego people to be honoured; and,
- Right to full recognition of Omushkego laws.

As a member of the Mushkegowuk Council, it is likely that these rights and responsibilities may also be declared by Fort Albany First Nation.

According to the Declaration of Nishnawbe-Aski (The People and the Land), the following rights apply to Nishnawbe-Aski Nation communities (NAN, 1977):

- The right to receive compensation for our exploited natural resources;
- The right to receive compensation for the destruction and abrogation of our hunting, fishing and gathering rights;
- The right to renegotiate our Treaty as understood by our people, land and resources; and,
- The right to approach other world nations to further the aims of the Cree and Ojibway Nations of Treaty No. 9.

As a member of the Nishnawbe Aski Nation, it is likely that these rights may also be declared by Fort Albany First Nation.

At a minimum, it is assumed that Fort Albany First Nation Aboriginal and / or Treaty rights related to the proposed Project include the right to hunt, trap, fish, and gather materials that are of importance to Fort Albany First Nation cultural traditions and lifeways, as well as the right to cultural continuity and wellbeing (ability to practice and transmit cultural traditions). These rights are considered Valued Components, which means that they are important elements of Aboriginal and / or Treaty Rights that have the potential to be affected by the proposed Project. The potential impacts of the proposed Project on these Valued Components / rights will be assessed in the future.

General information on Fort Albany First Nation's use of lands, waters, and resource for traditional purposes is presented in [Section 3.4](#).

Information on the Proponent's understanding of Fort Albany First Nation's use the lands, waters, and resources for traditional purposes in relation to the proposed Project is presented in [Section 3.5](#).

General perspectives on the cultural continuity and wellbeing of Fort Albany First Nation are presented in [Section 3.6](#). Information on the Proponent's understanding of what is important for Fort Albany First Nation cultural continuity and wellbeing is presented in [Section 3.7](#).





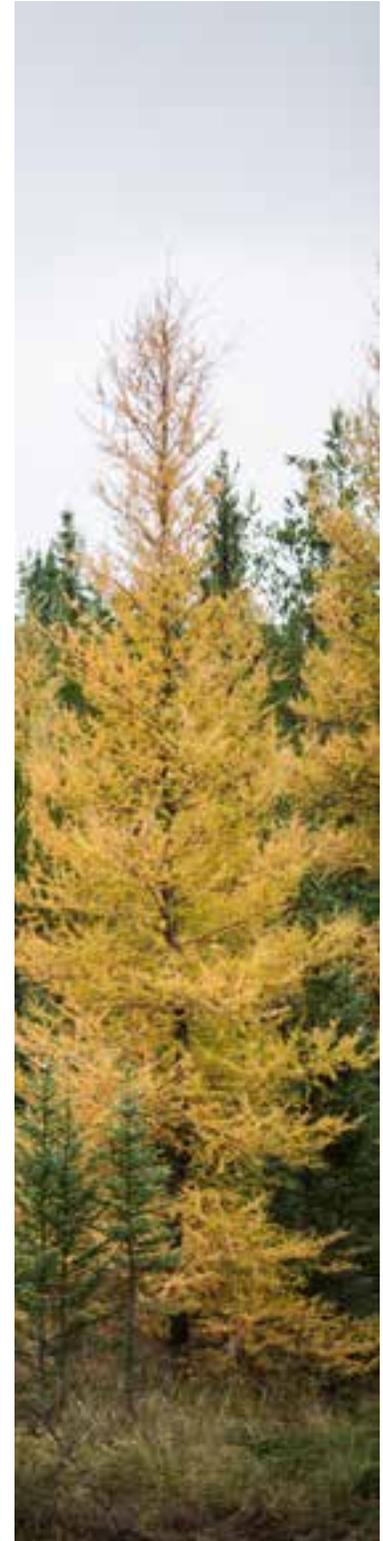
### 3.2.2 Interests Related to the Project

The information on interests presented below is largely based three secondary sources of information (although several other supporting sources have been used and referenced throughout):

- Mushkegowuk Council's *Comments on Draft Guidelines for the Conduct of a Comprehensive Study and the Preparation of a Draft Comprehensive Study Report: Victor Diamond Project* (Mushkegowuk Council, n.d.b.); and,
- Fort Albany First Nation's *Letter to Impact Assessment Agency of Canada* (FAFN, 2020).

It is anticipated that Fort Albany First Nation's interests in the proposed Project may include:

- The entirety of the Albany River (Beamish, 2020);
- Changes or impacts to the muskeg including diversions, flooding, drying, disturbance, destruction, pollution, and / or damming (FAFN, 2020);
- Changes or impacts on rivers (rivers other than the Albany River not specified), including transportation and access routes to harvesting and traditional sites, navigability, pollution, and draining, damming and water diversion (FAFN, 2020);
- Thawing of permafrost (FAFN, 2020);
- Pollution, including mercury and contamination and bioaccumulation, that may impact food security (FAFN, 2020);
- Mapping of Fort Albany First Nation use of the river system (FAFN, 2020);
- Protection of springs that feed into the rivers (FAFN, 2020);
- Women's relationship with the river system (FAFN, 2020);
- Invasive Species, including rats (FAFN, 2020);
- Various plants, birds, bats, terrestrial animals, marine animals, freshwater/riparian animals, and insects and their relationships with each other and the land (FAFN, 2020);
- Impacts to insects, as food sources, pollinators, and pests (FAFN, 2020);
- Economic impacts including those related to employment and traditional economy (FAFN, 2020);





- Social and health impacts, including mental, emotional, spiritual, cultural, physical, social and infrastructural, applying to individuals, families, community, and the environment, and intergeneration impacts (FAFN, 2020);
- Impacts to cultural sustainability (FAFN, 2020);
- Impacts to important locations including (FAFN, 2020):
  - Albany River System as a whole;
  - Sacred grounds;
  - Numerous burial sites;
  - Family traplines;
  - Cabins / camps;
  - Important fishing, hunting, and harvesting areas;
  - Traditional trails;
  - Old trading posts;
  - Lakes near the community;
- Cumulative effects and impacts, along with the Webequie Supply Road and the Northern Road Link, especially on wildlife (Mushkegowuk Council, n.d.b ; FAFN, 2020);
- Impacts to fishing and hunting in the area due to increased public access and use, including pollution (FAFN, 2020);
- Continued ability to source drinking water from the Albany River (Minkin, 2008);
- Right to harvest plants for food, medicinal, and cultural purposes (Stantec, 2017);
- Right to access plants for harvesting (Stantec, 2017);
- Right to maintain the quantity of traditional plants used for food, cultural, and medicinal purposes (Stantec, 2017);
- Right to maintain the quality of traditional plants used for food, cultural, and medicinal purposes (Stantec, 2017);
- Resources for effective participation including easy and timely access to all information and documentation that affects and shapes the assessment process (Mushkegowuk Council, n.d.b.);
- How the Project may impact social, cultural, and economic stability of the First Nations (Mushkegowuk Council, n.d.b.);



- Potential impacts on the entire ecosystem of James Bay (Mushkegowuk Council, n.d.b.);
- Infrastructure related to the Project (Mushkegowuk Council, n.d.b.);
- Surface and groundwater and sediment quality (Mushkegowuk Council, n.d.b.);
- Wildlife and wildlife habitat (Mushkegowuk Council, n.d.b.); and,
- Cumulative impacts, especially on wildlife (Mushkegowuk Council, n.d.b.).

These interests will inform the overall Impact Assessment / Environmental Assessment, including the assessment on Fort Albany First Nation Aboriginal and / or Treaty Rights and Interests.

### 3.3 Area of Interest

A preliminary Area of Interest has been identified for Fort Albany First Nation, as shown in **Figure 3-3**. The preliminary Area of Interest is intended to identify where Fort Albany First Nation may exercise / hold Aboriginal and / or Treaty Rights and Interests that are relevant to the proposed Project.

The preliminary Area of Interest for Fort Albany First Nation is based on:

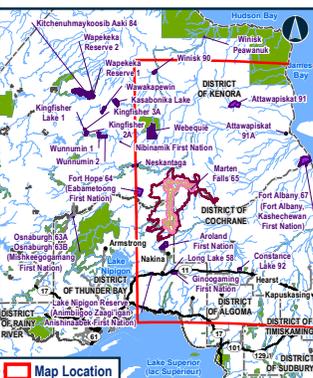
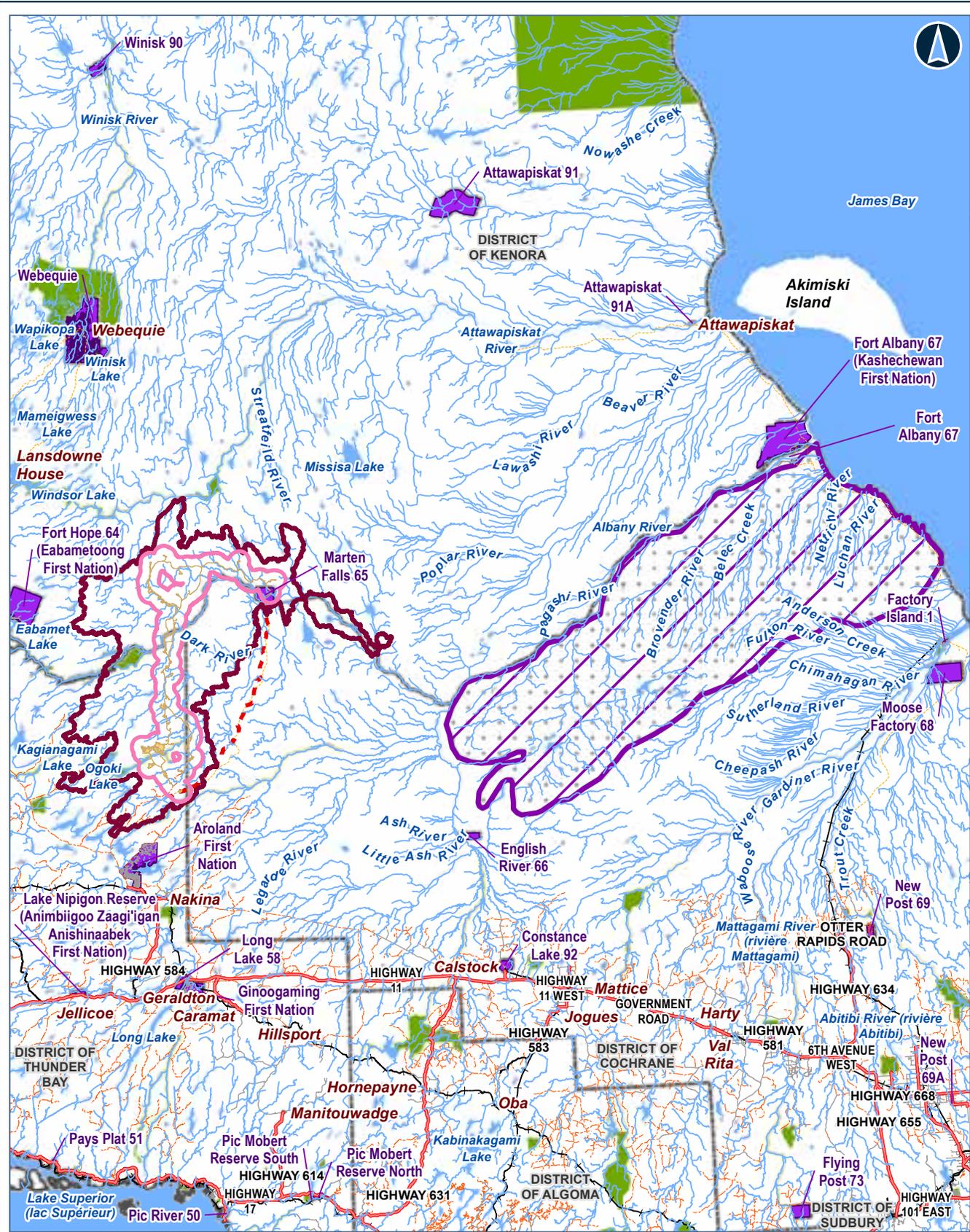
- A map prepared by the Mushkegowuk Council as part of the ongoing Mushkegowuk-led National Marine Conservation Area Project (Mushkegowuk Council, 2023) which identifies Fort Albany First Nation's Community Homelands.

The preliminary Area of Interest for Fort Albany First Nation does not overlap with the Project Development Area or the Local or Regional Study Areas for the proposed Project (**Figure 3-3**).



The Impact Assessment Agency of Canada (2023), notes that an Indigenous community's "long-standing connection to, use of, or occupation of an area is indicative of a community's rights". It is the Proponent's understanding that an Indigenous community can assert an area of interest or traditional territory and that these assertions may consider many factors including, but not limited to, hunting and trapping areas, wildlife migration patterns, travel routes, watersheds, etc. However, these assertions "may not be well understood by all parties, they may raise uncertainty as they lack information, or there may be differing interpretations" (IAAC, 2023). Therefore, it is important to note that for the purposes of identifying a preliminary Area of Interest for the proposed Project, Marten Falls First Nation is strictly presenting information that has been provided by an Indigenous community or has been identified in publicly available data sources. By presenting this information, Marten Falls First Nation is neither validating or confirming information regarding the assertion of areas of interest or traditional territories.





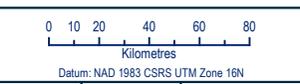
**Legend**

- Preliminary Area of Interest for the Proposed Project
- First Nation Reserve
- ATRI Local Study Area
- ATRI Regional Study Area
- Project Development Area
- Fort Albany First Nation Community Homelands (Mushkegowuk Council Lands and Resources, January 2023)
- Highway
- Major Road
- Local Road
- Winter Road
- Resource / Recreation Road
- Service Road
- Alleyway
- Existing Winter Access Road
- Railway
- Watercourse
- District Municipal Boundary
- Waterbody
- Provincial Park

**Data Source:**  
 Base Data: Provided by MNR 2019: Route Infrastructure - Provided by AECOM 2019: Planning and Traditional Area - Kashechewan First Nation and Ontario Ministry of Natural Resources and Forestry (December 2017): Community Homelands - Mushkegowuk Council Lands and Resources (January 2023). Contains Information licensed under the Open Government License Ontario.

**MARTEN FALLS FIRST NATION COMMUNITY ACCESS ROAD**

Fort Albany First Nation  
 Area of Interest



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**Figure 3-3**

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**DRAFT PRELIMINARY DOCUMENT**



## 3.4 Use of Lands, Waters and Resources for Traditional Purposes

Available information on Fort Albany First Nation land, water, and resource use is presented in **Sections 3.4.1 to 3.4.5**. The information is general to Fort Albany First Nation. Information on Fort Albany First Nation land, water, and resource use for traditional purposes in relation to the proposed Project is provided in **Section 3.5**.

The information presented is largely based on the following sources of information (although several other supporting sources have been used and referenced throughout):

- Fikret Berkes, Alun Hughes, Peter J. George, Richard J. Preston, Bryan D. Cummins, and John Turner's *The persistence of Aboriginal land use: Fish and wildlife harvest areas in the Hudson and James Bay Lowland, Ontario* (1995) study of contemporary Indigenous land use in northern Ontario;
- Paul Minkin's master's thesis *Cultural Preservation and Self-Determination through Land Use Planning: A Framework for the Fort Albany First Nation* (2008), which relied upon social learning through semi-structured interviews to develop a set of recommendations for community-based land use planning; and,
- Beverly Soloway's "*mus co shee*": *Indigenous Plant Foods and Horticultural Imperialism in the Canadian Sub-Arctic* (2015) which explores the relationship between a Mushkegowuk (Cree) hunter-gatherer society and a British planted-food model.

It is important to note the following about the information available on Fort Albany First Nation land, water, and resource use for traditional purposes:

- Most of the information available was collected almost 30 years ago, therefore most of the information could be considered past use;





- There was no information on present-day land, water, and resource use by Fort Albany First Nation available at the time of writing;
- Information on the role of members within the community (e.g., women, men, Elders, youth, people with disabilities) is limited or absent altogether;

For the purposes of the future Impact Assessment / Environmental Assessment, it is assumed that the general practices and preferences of Fort Albany First Nation community members described in this report are still relevant to the community today;

- Information on the quality and quantity of resources (including volumes harvested) and the frequency, duration, and / or timing of traditional practices is limited or absent; and,
- Information on resource thresholds that the community requires to exercise their rights is limited or absent.

Information on the cumulative effects that may have already interfered with the ability of Fort Albany First Nation to use their lands and resources for traditional purposes is provided in **Sections 2.2** and **2.3**.

Forests were valued for wildlife habitat, ecological services, wood provided, building material, and fuel (Minkin, 2008). The traditional economy provided the following: meat; fuelwood; berries; income from fur; building materials for bush camps; medicinal plants; raw materials for handcrafts and bush equipment; and social well-being and cultural value through procurement of items (Berkes et al., 1995).





### 3.4.1 Hunting and Trapping

Hunters from Fort Albany First Nation stayed close to the James Bay coast in spring, and ranged more extensively in fall and winter. The level of hunting and trapping activity was comparable throughout the winter, summer, and fall, and winter; however, hunting and trapping activity was less in the spring. Moose and caribou were reported in different areas, depending on the season (Berkes et al., 1995).

It is likely that the hunting of geese continues to be important to Fort Albany First Nation. Studies from the 1970s indicated that over 80% of hunters (defined as males over 15 and under 65 years of age, not disabled or absent) in coastal Cree communities' actively hunted geese (Cummins, 1992). In 2007 and 2008, geese were found to be the most common food item harvested by community members (Minkin, 2008). Other resources hunted included caribou, migratory birds in general, ducks or waterfowl, and rabbits.

The Registered Trapline System impacted Fort Albany First Nation. In a personal narrative from Abraham Metatawabin, made in Fort Albany in 1994, the introduction of the trapline system was described (Russell, 1998, pp. 91-92):

It was 1947 when I started to stay down here year round. Prior to 1938 I was always up river. My late grandfather used to keep me and he lived off the land. He used to build his own little log cabin and stay there year round. Every two or three years he would build another cabin. This is how the old people used to live – no one place was a permanent campground, they would always move...In 1946 I left my grandfather to live on my own, and trapped with my brother Eli. Back then there were no trapping restrictions as imposed by Ministry of Natural Resources. Before Ministry of Natural resources there was a system in place, people knew their trap grounds. They also practised conservation as passed on from generation to generation. And then the trapline system was forced upon us by Ministry of Natural Resources.





A Trapper Training Program was initiated in 1995 and ran until 1996. It was a 20-week program that was modelled after a program that first ran in the 1970s. The Trapper Training Program provided an opportunity for eight young men to live on a trapline, and acquire or refresh bush skills, with expenses for supplies and equipment provided (Russell, 1998). Present-day information on trapping has not been provided to date.

Some common animals discussed by community member as part of the trapping harvest included otter, muskrat, beaver, and marten. The marten harvest only began in the mid-1990s, as marten were previously absent from the area. Other, less common, animals discussed in trapping harvest information included lynx, mink, and rabbit (Minkin, 2008). Animals are often trapped on Anderson Island and include marten, weasel, mink, muskrat, fox, skunk, beaver, and squirrel. Trapping was primarily a male activity and lone females only trapped prior to 1955 (Tsuji et al., 2005).

Important ways for community members have coped with food shortage included hunting, traditional food practices and subsistence harvesting. The community also participated in food sharing, which remained an integral part of the culture. In interviews with Fort Albany First Nation members, the high cost and unavailability of meat were discussed in relation to the economic importance of wild meat and hunting as a key measure for food security (Minkin, 2008). The use of freezers has modernized traditional food storage to store game meat (Skinner, 2013).





Tsuji and Nieboer (1999) explored changes in land use practices among the Mushkegowuk Cree and found that most animal harvesting activity occurred in the spring and fall when waterfowl are abundant. They also reported a shift in resource use to a greater focus on waterfowl. Reasons for this shift include (Cummins, 1992; Tsuji & Nieboer, 1999):

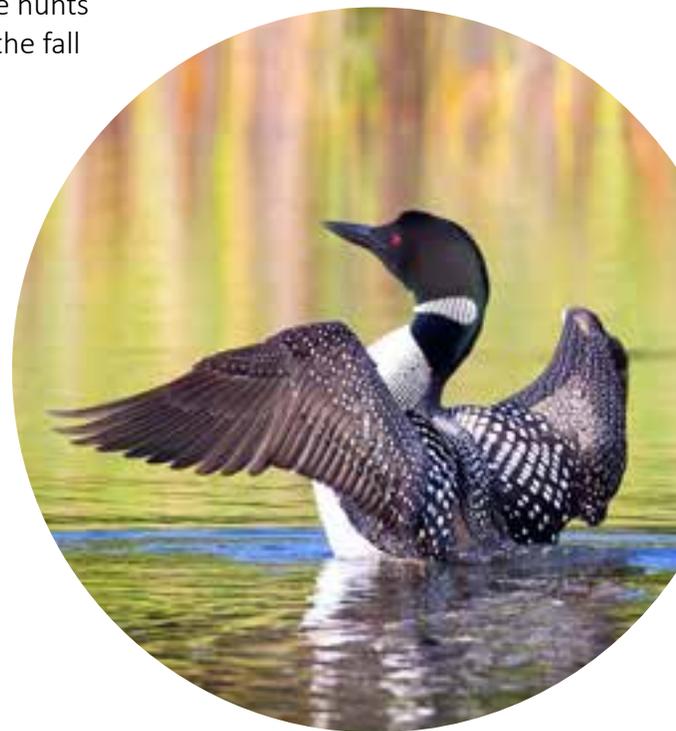
- Settlement and greater a concentration of communities along the coast (from more inland areas) in the 1950s and 1960;
- Repeated periods of game and furbearer depletion;
- Community population increases;
- Ease of accessing waterfowl; and,
- Participation in the wage economy, requiring shorter harvesting trips more suited to hunting waterfowl compared to moose and caribou, which require much longer hunting trips.

Recent regional climate changes has resulted in a shift in the migration routes of waterfowl from the coast to inland. The number of birds for both spring and fall that follow traditional coastal migration patterns has declined. The number of decreasing coastal migrations has affected the spring and fall waterfowl hunts and harvesting activities, resulting in negative impacts on the traditional economy and culture for the coastal Cree communities along James Bay and Hudson Bay (Hori, 2016).

As reported in 1998, some community members winter in the bush to hunt and trap and stay through to the summer to fish. Whether community members continue this practice is unknown at the time of writing this report. Historically, goose hunts have taken place in the fall and spring closer to James Bay and the fall moose hunts take place inland (Russell, 1998).

A summary of wildlife of potential importance to Fort Albany First Nation for hunting and trapping based on the reports by FAFN (2020), Cummins (1992), Minkin (2008), Tam et al., (2013), Tsuji et al. (2005), and Berkes et al. (1995) is provided in **Table 3-1**.

Through the Consultation Program, Fort Albany First Nation provided information via a letter to the Impact Assessment Agency of Canada, regarding their interests related to the Project, including species of importance (FAFN, 2020). Although it is not clear at this time if the species identified in the letter were harvested, they have been included in **Table 3-1** as wildlife of potential importance to Fort Albany First Nation.





**Table 3-1:** Wildlife of potential importance to Fort Albany First Nation

Common Name	Oji-Cree Translation	Cree Translation
<b>BIG GAME AND FURBEARERS</b>		
Moose	mooz	
Caribou	atik	
Deer		
Bear (black, polar)	makwa, makoo	
Arctic Fox		
Wolverine		
Lynx	mizhih'bizhiw, piizhoo	
Beaver	amik	
Mink		
Rabbit (snowshoe hare)	wabooze	
Marten (pine)	wabizheshih, wabashtan	
Muskrat	wajaashk	
Mink		
Fox		
Skunk		
Muskrat		
Squirrel		



Common Name	Oji-Cree Translation	Cree Translation
<b>BIRDS AND BATS</b>		
Canada goose	nikah	
Wavy (blue goose)	nikah	
Snow Goose		
Brant		
Ducks	shesheeb	
Red Bat		
Swans		
Gyrfalcons		
Loons		
Peregrine Falcons		
<b>MARINE ANIMALS</b>		
Beluga Whales		
Bowhead whales		
Seals		







### 3.4.3 Berry and Plant Gathering

Written and oral documentation, as well as the botany of the region suggested several ways that gathered vegetation was used in the Mushkegowuk diet. Labrador tea grew plentifully and was used as a medicine, the peeled roots of large tamarack trees were added to the cook pot, and the sweet tasting sap was scraped from the tree and eaten cooked or fresh. Rock Tripe was gathered from rocks and boiled in broths and soups, with foods such as caribou blood, fish, or fish roe. Angelica (wild celery) stalks and leaves were boiled and added to dishes or eaten raw dipped in seal or fish oil. Wapato (arrow-head) was found in the wet marshes of Mushkegowuk lands. Colored fireweed, cattails, wild onions, bulrushes, and the buds of spruce and juniper trees were included in cook pots (Saloway, 2015).

Firewood was produced in the territory. Many homes in Fort Albany First Nation were heated with wood stoves. Cutting wood was done close to home and in fall, some logs were be towed closer to home by boat.

Beginning in the 17th century, gardening was introduced to communities along the Hudson and James Bays by fur traders, missionaries, and government agents, displacing Mushkegowuk gathering of Indigenous plant food (Soloway, 2015). Vegetation plays a vital role in the local diet, economics, spirituality, and traditions and cultures for many northern Indigenous people (Hori, 2016).

The Mushkegowuk region offered a large variety of berries. Historically, berries were picked in the fall in large quantities, and children played a major role in this harvest (Honigmann, 1961). As of 2008, practices for food gathering included berry picking and gathering of Labrador tea (Minkin, 2008).

On Anderson Island, berries and trees are harvested and plants are / were collected. Some of the types of berries that were harvested included raspberries, cranberries, mooseberries, gooseberries, blueberries, and ground berries with cranberries being the most popular berry to harvest. Some of the types of trees that were harvested include spruce, pine, and tamarack. Some of the types of plants that were collected include moss, Labrador tea, grasses, herbs, and rose hips. Summer was the primary season for harvesting berries and collecting plants and winter was the busiest season for harvesting trees (Tsuji et al., 2005). On the mainland and on river islands berries and plants were collected (Russell, 1998).

A summary of berries and plants of potential importance to Fort Albany First Nation based on FAFN (2020), Cummins (1992), Minkin (2008), Tam et al., (2013), Tsuji et al. (2005), Saloway (2015), and Berkes et al. (1995) is provided in **Table 3-3**.



**Table 3-3:** Berries and plants of potential importance to Fort Albany First Nation

Common Name	Oji-Cree Translation	Cree Translation
<b>BERRIES</b>		
Low bush cranberry	maashkiigominan	
Raspberry		
Blackberry		
Mooseberry		
Gooseberry		
Ground berry		
<b>OTHER PLANTS</b>		
Labrador tea	kakikebak, kakekaybegoon	
Juniper	kakakiwadaang	
Willow (red)	wiisihkobihmagoon, oshiisigobiminsh	
Wild rose	okinii wabigwanin	
Wild onion		
Tamarack	maaskigwatik / wakinagan	
Poplar (balsam)	maan azaadii	
Spruce (black, white)	shikobaatik, mina'ig	
Stone moss		
Bulrushes		
Wapato		
Dwarf birch		
Trembling aspen		
Eriaceous shrubs		
Cottongrass		
Black crowberry		
Reindeer moss		
Sphagnum moss		
Caribou lichen		
Bearberry		



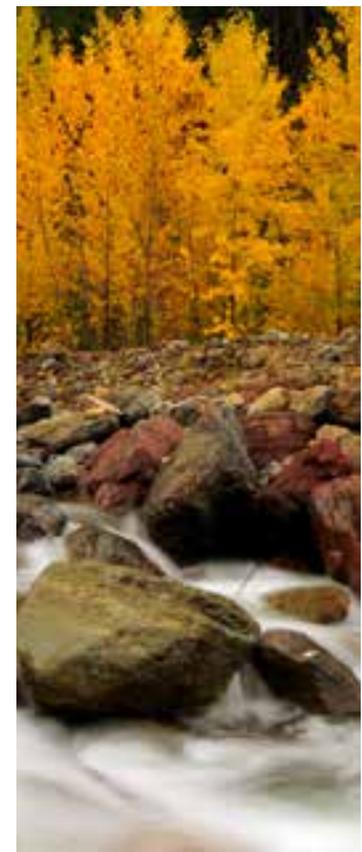
Common Name	Oji-Cree Translation	Cree Translation
Dogwood		
Cedar		
Sage		
Sweetgrass		
Rose hips		
Pine		
Rock Tripe		
Colored Fireweed		
Cattails		
Bulrushes		

### 3.4.4 Travel

Travel routes over great distance and in relatively small areas were traced by Cree people since before the fur trade. Later, connections to missions, hospitals, trading posts, schools, and other buildings were linked to places around and beyond the region (Russell, 1998).

The Albany River has been described by community members as the community's highway and main artery (FAFN, n.d.; Berkes et al., 1995; Minkin, 2008). In 1730, a total of 118 canoes, carrying people from various locations, came through Fort Albany to trade demonstrating the volume of activity in the region and the large distances travelled. When rivers are flowing, they act as highways for boats to access routes for fishing, trapping, and hunting, plants, medicines, gathering firewood, and to other communities for connecting and marking significant moments and events, and important cultural sites for connecting to ancestors at points along the river where there are burials, and other activities such as camping, recreation, outside tourism, commerce, etc. (FAFN, n.d.; Berkes et al., 1995; Russell, 1998).

Rivers are used by canoes and/or boat when they are flowing, and by vehicle and / or foot when they are frozen. Other rivers that are used as travel routes include the Attihamek River and the Pagwa River (Minkin, 2008). People would use the rivers to travel to Ogoki (Post), Constance Lake First Nation, and Hearst (Minkin, 2008). Over the years,





damming in the region has impacted river travel on the Albany River in key two ways: physical barriers prevent boat passage upriver and reduced water volumes can make river navigation difficult (Minkin, 2008). The present-day extent of river travel, along the Albany River, is unknown.

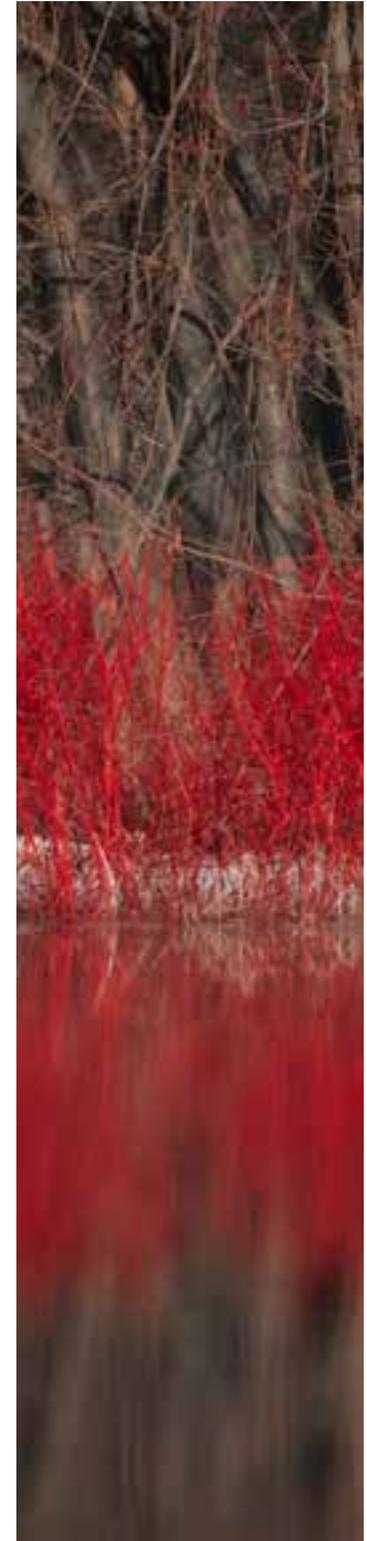
Until the 1950s, the James Bay communities in the western region were only accessible by dog sled during the winter season and by boat during the summer season until the 1950s. The James Bay Winter Road was built in the early 1950s for the construction of the Mid-Canada Radar Lines. The winter road runs through several muskeg areas, streams, and rivers along the Hudson-James Bay coastline. The road network spans 320 kilometres and connects the remote, coastal communities of Kashechewan First Nation, Fort Albany First Nation, Moose Factory First Nation, and Attawapiskat First Nation to the northern terminus of the Town of Moosonee (Hori et al., 2018).

Since 2007, the construction and maintenance of the James Bay Winter Road is under the management of Kimeskanemenow Corporation. The road is divided into four sections and each of the four communities (i.e., Kashechewan First Nation, Attawapiskat First Nation, Fort Albany First Nation, and Moose factory First Nation) take responsibility for each section.

The cost of goods and services for local residences can be minimized by winter roads, as the cost of shipping goods by barge or air is greater than using ground transportation. Aside from providing the transport of essential goods (e.g., fuel, food, medical supplies, etc.) and heavy machinery, they also serve important cultural and social functions. For example, community members may use the roads to gather for cultural, recreational, or social events, visit family and friends, and see the Elderly in health-care facilities or hospitals (Hori, 2016).

### **3.4.5 Habitation – Village Sites, Camps, and Cabins**

Habitation refers to sites and areas where Fort Albany First Nation community members and / or their ancestors have lived, and may include village sites, camp sites and areas, and cabins. At the time of writing, there is no information on habitation sites and areas.





## 3.5 Understanding of Land, Water and Resource Use for Traditional Purposes in Relation to the Project

**Sections 3.5.1 to 3.5.5** describe the current understanding of Fort Albany First Nation's land, water, and resource use for traditional purposes in relation to the proposed Project, and specifically within the Project Development Area, Local Study Area, and / or the Regional Study Area.

As noted in **Section 3.4**, it is assumed that the practices and preferences of Fort Albany First Nation community members described in this report are likely still relevant to the community today.

It is important to note that the purpose of this preliminary existing conditions report, is to develop an understanding of where Fort Albany First Nation is using the lands, waters, and resources for traditional purposes. This is not an assessment of potential impacts to Aboriginal and /or Treaty Rights. The assessment on potential impacts will be completed in future stages of the Impact Assessment / Environmental Assessment.

The assessment of potential impacts on the use of lands, waters, and resources for traditional purposes will also be informed by the results of other relevant Valued Component assessments (e.g., wildlife, vegetation, fish and fish habitat, etc.). It will also be informed by additional inputs from the Indigenous Knowledge and / or Consultation Programs.

The Proponent recognizes that the proposed Project has the potential to influence the exercise of Aboriginal and / or Treaty Rights outside of the Regional Study Area. This is particularly relevant in the case of wildlife and water valued components given the movement of these important resources. This lens will be applied in the future stages of the Impact Assessment / Environmental Assessment.





### 3.5.1 Hunting and Trapping

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#### 3.5.1.1 Project Development Area

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Based on available information on sites and areas used by Fort Albany First Nation members for hunting and trapping in [Section 3.4.1](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Project Development Area, it is likely that Fort Albany First Nation does not exercise these rights within the Project Development Area. However, as noted in [Section 3.4.4](#), Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic hunting may have occurred along the Albany River outside of their preliminary Area of Interest. It is likely that Fort Albany First Nation does not trap along the Albany River based on historical and current trapline systems. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

#### 3.5.1.2 Local Study Area

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Based on available information on sites and areas used by Fort Albany First Nation members for hunting and trapping in [Section 3.4.1](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Local Study Area, it is likely that Fort Albany First Nation does not exercise these rights within the Local Study Area. However, as noted in [Section 3.4.4](#) Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic hunting may have occurred along the Albany River outside of their preliminary Area of Interest. It is likely that Fort Albany First Nation does not trap along the Albany River based on historical and current trapline systems. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.





### **3.5.1.3 Regional Study Area**

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Based on available information on sites and areas used by Fort Albany First Nation members for hunting and trapping in **Section 3.4.1**, and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Regional Study Area, it is likely that Fort Albany First Nation does not exercise these rights within the Regional Study Area. However, as noted in **Section 3.4.4**, Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic hunting may have occurred along the Albany River outside of their preliminary Area of Interest. It is likely that Fort Albany First Nation does not trap along the Albany River based on historical and current trapline systems. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

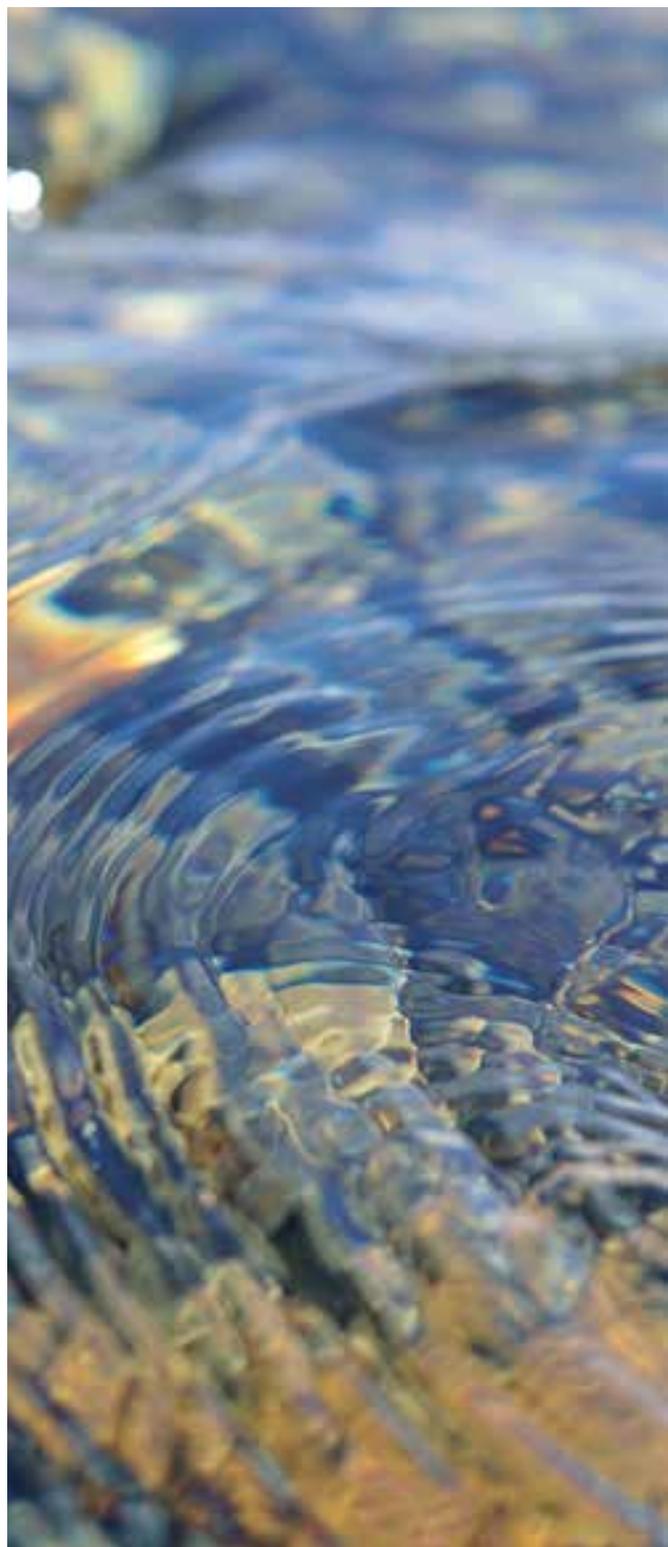
### **3.5.2 Fishing**

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#### **3.5.2.1 Project Development Area**

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Based on available information on areas used by Fort Albany First Nation members for fishing in **Section 3.4.2**, and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Project Development Area, it is likely that Fort Albany First Nation does not exercise these rights within the Project Development Area. However, as noted in **Section 3.4.4**, Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic fishing may have occurred on the Albany River outside of their preliminary Area of Interest. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.





### 3.5.2.2 Local Study Area

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Based on available information on areas used by Fort Albany First Nation members for fishing in [Section 3.4.2](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Local Study Area, it is likely that Fort Albany First Nation does not exercise these rights within the Local Study Area. However, as noted in [Section 3.4.4](#), Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic fishing may have occurred on the Albany River outside of their preliminary Area of Interest. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

### 3.5.2.3 Regional Study Area

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Based on available information on areas used by Fort Albany First Nation members for fishing in [Section 3.4.2](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Regional Study Area, it is likely that Fort Albany First Nation does not exercise these rights within the Regional Study Area. However, as noted in [Section 3.4.4](#), Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic fishing may have occurred on the Albany River outside of their preliminary Area of Interest. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.





### 3.5.3 Berry and Plant Gathering

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#### 3.5.3.1 Project Development Area

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Based on available information on areas used by Fort Albany First Nation members for fishing in [Section 3.4.3](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Project Development Area, it is likely that Fort Albany First Nation does not exercise these rights within the Project Development Area. However, as noted in [Section 3.4.4](#), Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic berry and plant gathering may have occurred along the Albany River outside of their preliminary Area of Interest. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

#### 3.5.3.2 Local Study Area

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Based on available information on areas used by Fort Albany First Nation members for fishing in [Section 3.4.3](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Local Study Area, it is likely that Fort Albany First Nation does not exercise these rights within the Local Study Area. However, as noted in [Section 3.4.4](#), Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic berry and plant gathering may have occurred along the Albany River outside of their preliminary Area of Interest. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

#### 3.5.3.3 Regional Study Area

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Based on available information on areas used by Fort Albany First Nation members for fishing in [Section 3.4.3](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Regional Study Area, it is likely that Fort Albany First Nation does not exercise these rights within the Regional Study Area. However, as noted in [Section 3.4.4](#), Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic berry and plant gathering may have occurred along the Albany River outside of their preliminary Area of Interest. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.





### 3.5.4 Travel Routes

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#### 3.5.4.1 Project Development Area

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Based on available information on travel routes used by Fort Albany First Nation members for traditional activities in **Section 3.4.4**, the Albany River has been used as a travel route to Ogoki Post (Marten Falls First Nation), there is a potential that travel routes exist within the Project Development Area. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

#### 3.5.4.2 Local Study Area

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Based on available information on travel routes used by Fort Albany First Nation members for traditional activities in **Section 3.4.4**, the Albany River has been used as a travel route to Ogoki Post (Marten Falls First Nation), there is a potential that travel routes exist within the Local Study Area. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

#### 3.5.4.3 Regional Study Area

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Based on available information on travel routes used by Fort Albany First Nation members for traditional activities in **Section 3.4.4**, the Albany River has been used as a travel route to Ogoki Post (Marten Falls First Nation), there is a potential that travel routes exist within the Regional Study Area. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.





### **3.5.5 Habitation – Village Sites, Camps, and Cabins**

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#### **3.5.5.1 Project Development Area**

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Based on available information on habitation sites and areas used by Fort Albany First Nation in [Section 3.4.5](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Project Development Area, it is likely these sites do not occur within the Project Development Area.

#### **3.5.5.2 Local Study Area**

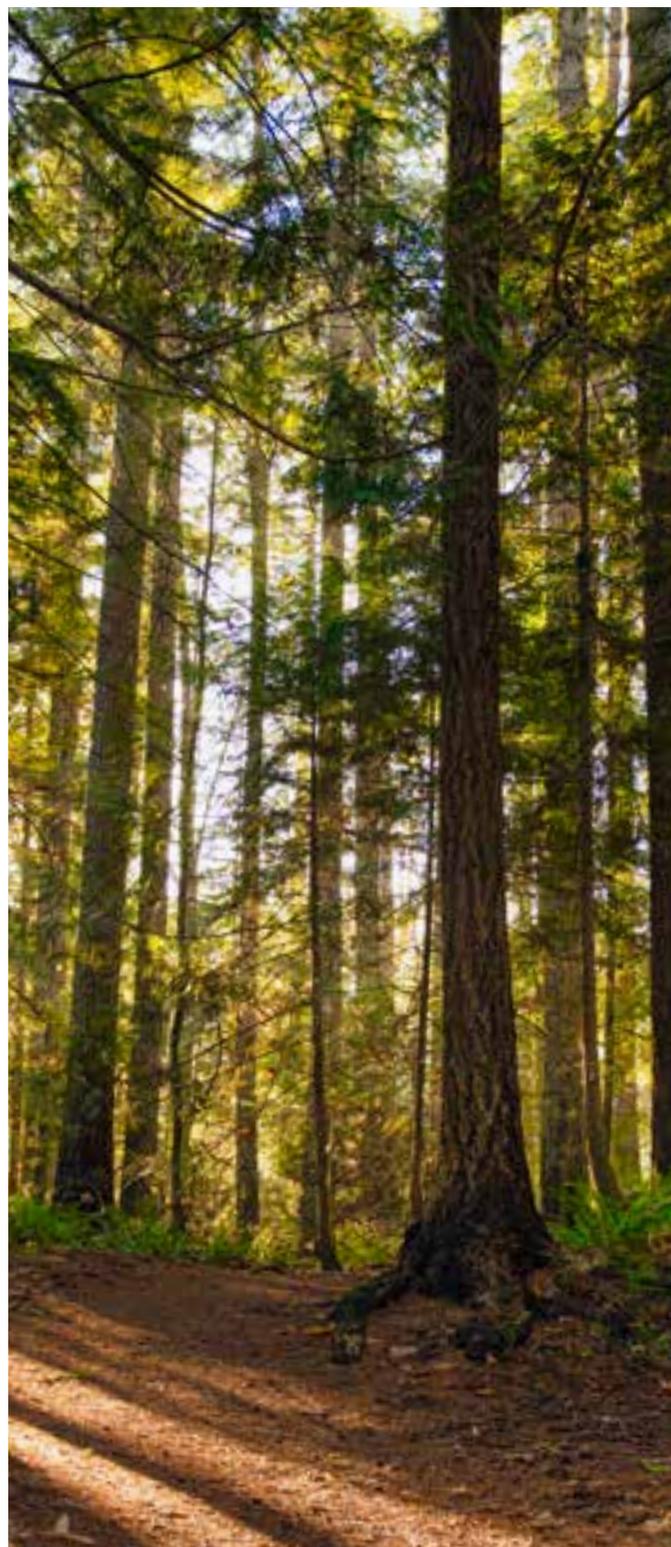
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Based on available information on habitation sites and areas used by Fort Albany First Nation in [Section 3.4.5](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Local Study Area, it is likely these sites do not occur within the Local Study Area.

#### **3.5.5.3 Regional Study Area**

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Based on available information on habitation sites and areas used by Fort Albany First Nation in [Section 3.4.5](#), and given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Regional Study Area, it is likely these sites do not occur within the Regional Study Area.





## 3.6 Understanding of Perspectives on Cultural Continuity and Wellbeing

**Sections 3.6.1 to 3.6.4** the available information on Fort Albany First Nation and / or Mushkegowuk Cree perspectives on cultural continuity and wellbeing. The information is general to Fort Albany First Nation and / or the Mushkegowuk Cree. Information on Fort Albany First Nation and / or Mushkegowuk Cree perspectives on cultural continuity and wellbeing in relation to the proposed Project is provided in **Section 3.7**.

The information presented is largely based on the following sources of information (although several other supporting sources have been used and referenced throughout):

- Sheila Gruner’s doctoral dissertation *Learning, land and life: An institutional ethnography of land use planning and development in a Northern Ontario First Nation* (2012) which examines the relationship between contemporary land use planning and life practices of a remote First Nation community; and,
- Tsuji et al.’s article *What Is Wellbeing, and What Is Important for Wellbeing? Indigenous Voices from across Canada* (2023), which conceptualizes wellbeing from an Indigenous perspective.





It is assumed that cultural continuity and wellbeing is dependent on several factors that are interrelated:

- **The protection of cultural sites and areas of importance:** Loss of or changes to cultural sites and areas of importance to Fort Albany First Nation have the potential to impact the ability to Fort Albany people to continue their culture and traditions, and their cultural wellbeing as a result;
- **The ability for continued experiences on the land:** Changes to the ability of Fort Albany people to continue their experiences on the land, and the many benefits these experiences provide, have the potential to impact cultural continuity and wellbeing;
- **A sufficient level of lands and resources for traditional use:** The continuation and wellbeing of Fort Albany First Nation culture requires a sufficient level of and access to lands, water, and resources; and,
- **The ability to practice and pass on language and cultural traditions:** Cultural continuity and wellbeing requires that Fort Albany people not only practice their language and cultural traditions, but that they are able to and pass them on to the next generation.

These important factors set the stage for the structure of this section of the report. A summary of some Fort Albany First Nation Elders' perspectives of what is important for cultural well-being is provided in the study by Tsuji et al. (2023):

- Traditional land and everything associated with the land, which was viewed as a gift;
- On-the-land traditional cultural activities, such as the procurement of traditional foods and spiritual pursuits;
- Inherent obligations that need to be honoured to maintain harmonious balance and interrelationships;
- Cree language;
- Cree knowledge;
- Cree cultural traditions;
- Recognizing Cree culture as dynamic and changing with the world; and,
- Sharing of knowledge- intergenerational and horizontal sharing of knowledge.





### 3.6.1 Protection of Cultural, Spiritual and Historical Sites and Areas

Cultural sites and areas may include ceremonial sites, gathering sites, teaching sites, sacred and / or spiritual sites and areas, place names, and historical sites. The following cultural sites have been noted as potentially important to Fort Albany First Nation (First Nation Council, 2020):

- Albany River;
- Lakes near the community;
- Burial sites;
- Family traplines;
- Cabins / camps;
- Important hunting, fishing; harvesting areas;
- Old trading posts; and,
- Traditional trails.



*Mamawehitowin* is a traditional annual gathering held at the Old Fort Albany Post site where until 1932, the Cree settlement, Anglican and Roman Catholic Mission, and the Hudson’s Bay Post were located. In the history of Fort Albany First Nation, the site is a significant historical place. Many people come from various locations to participate in the annual event, including dancers and drummers, and the event requires extensive effort on the part of volunteers (Russell, 1998).

Gatherings were held at “the forks” where the Kenogami River and Kishiichiwan River meet. Relatives would visit, gather, discuss political concerns, renew relationships, and get updated on local news. The Kishiichiwan River also provided a route for travel. In the past, people would travel the river to visit their children at St. Anne’s Residential School and travel between the Fort Albany reserve and the place where Constance Lake First Nation was eventually established. During summer break, people would spend time on the Kishiichiwan River, as previous generations had brought them. Other activities on the river included hunting, fishing, swimming, and berry picking (Daigle, 2018).

The exact locations of many of these cultural, spiritual and historical sites and areas are unknown at the time of writing this report. In a study by Tsuji et al. (2023), a Kashechewan First Nation member (which



has been presented here given the historical relationship between the two communities), describes how the nomadic nature of the people influenced their relationship to spiritual and historical sites and areas, in terms of geographical distribution:

All over the area of my land, you can see sacred burial grounds, where my people died, where they lost their loved ones during the winter months.... We were very nomadic people.... Where there are footprints all over the place in my territory, that signifies that my people were out in the land (p. 9).

Various rivers, streams, and lakes, are also important cultural areas for the subsistence and travel values they provide. It is also recognized that O mushkegowuk, have their own intimate relationships with the water, and women are the keepers of the water (Chiefs of Ontario, 2008).

### **3.6.2 Continued Experiences on the Land**

In a study by Tsuji et al., (2023), “being on the land was described as regaining control of one’s environment with the chance to exercise their inherent duties and establish (or re-establish) harmonious relationships with the environment and culture).” Values, ethics, and bush skills are taught through land-based learning and the experience of being on the land is spiritual, happy, reliable, and comfortable (Berkes et al., 1995). From an Indigenous perspective, well-being is closely tied to mental health (Tsuji et al., 2023). Land based activities and programs have been recognized as vital in addressing overall poor mental and physical health, including high rates of diabetes, obesity, and heart disease (Ahmed et al., 2023). The harvesting of wild food during the spring and fall constitute a cultural event, increasing community and social cohesiveness (Skinner, 2013).

Through the Sibi Program, interviews with Fort Albany First Nation members were used to identify elements of well-being. Participants expressed positive emotion while being out on the land, regardless of experience or age. Improved well-being was attributed to strengthening community and social networks, fostering cultural continuity, and intergenerational knowledge transfer. On the land, people would work together and learn together to survive, learning life skill as they go (Ahmed et al., 2023).





Indigenous knowledge is reflected and enriched by the observations and experiences of being on the land. This knowledge system and the holistic perspective that it encompasses plays a vital role in addressing emerging challenges such as climate change and food security. For example, the knowledge of climate cycles and weather patterns contributes to the development for effective mitigation strategies for the impacts of extreme weather events (Ahmed et al., 2023).

Land based learning was integral to raising children. Learning to listen and observe while out on the land was a primary teaching. Children could observe people interacting with the land in various ways and absorb information from various people, including how to interact with the environment. Children were not generally instructed, but learned through observation. For example, when asked to complete a task, they would know how to do it from watching others (Ahmed et al., 2023; Tsuji et al., 2023). The lived experience of people in the community in relation to the Albany River was discussed by a male adult from Fort Albany First Nation, as follows: “I just need to look at it, it’s gratifying; gratifying for me, physically, emotionally, mentally, and it’s like, aah, it’s like getting a hug from mom; that’s what it is for me” (Interview with male adult from Fort Albany, as cited in Grunner, 2012, p. 110)

### 3.6.3 Sufficiency of Lands and Resources

Fort Albany First Nation’s territory has offered refuge and protection. The ways people are in relation to the land are changing as the landscape changes in relation to development in the region (Grunner, 2012).

In English, *Omushkegowuk* means the people of the muskeg, speaking to the importance of the muskeg to Fort Albany First Nation member’s well-being and lives. Of foundational importance to the muskeg and ultimately *Omushkegowuk*, is the water that flows through the muskeg and the permafrost that maintains and forms the muskeg. Rivers that flow through the muskeg are an essential part of Fort Albany First Nation lifestyle and culture. Fort Albany First Nation members have an ancient relationship with the Albany River and its tributaries, which remain and have always been central to their way of life. Inland actions are impeding this relationship, as pollutants, rocks, garbage, silt, etc. are carried downstream to Fort Albany First Nation (FAFN, 2020).

As noted previously ([Section 3.4.4](#)), rivers are Fort Albany First Nation’s “highways”, providing essential access to important site and routes for harvesting. Upstream interference through damming and diversion has impacted the ability of Fort Albany First Nation to use the Albany River system. Navigation of the Albany River is increasingly difficult and sometimes impossible due to the low water level, especially for boats that are heavy with equipment, people, animals, etc. Due to changes in water flows, the land is extending further into the bay and sand bars are appearing. Boats have been damaged by hitting underwater rocks (FAFN, 2020).





When river travel is limited, it becomes more difficult for people to access lands and resources, which can impact health, mental well-being, nutrition, financial security, etc. In particular, access to traplines, fishing spots, and hunting ground has become limited. Further, Fort Albany First Nation has raised concerns that low water levels are impacting fish populations, as the river temperature changes. Fort Albany First Nation has voiced concerns that fish populations may be contaminated due to pollution in the rivers. In the past, Fort Albany First Nation members would drink water directly from the river. However, for most members, this practice has stopped due to pollution concerns (FAFN, 2020). According to the First Nation Fisheries Council, as cited in Tsulji et al. (2023):

Activities that impact navigation and the ability to fish have cascading effects that reverberate through a community: impacting the spirit of the water; the ability of the water to support aquatic and terrestrial species, including plants that are harvested or used in traditional activities; travel through First Nations' territories; the ability to pass along cultural and ecological knowledge accumulated over generations; and undermining trading and family relationships among First Nations. (p. 12)

Rivers are also important places of teaching and learning, including language learning. Cree language is used on the river and the land because it is tied to those places (i.e., place names). Families used to travel up the river to return to family traplines. Older people would teach younger people about history, culture, survival, and the land, while out on the river. Because navigating the river has become more difficult, teaching is being prevented. Due to low water levels, in recent years the *Paquataskamik* Project has been unable to travel upriver (FAFN, 2020).





The ability to engage in traditional economy, as their ancestors did, is changing as the balance of the mixed economy changes. For Fort Albany First Nation the land and rivers are their “grocery store”. A significant part of the mixed economy of which the financial value is often underestimated consists of trapping, hunting, fishing, gathering and food preservation. These activities have major impacts to health and well-being as they provide less expensive food, keep people active, are better suited to people’s bodies, and are nutritionally superior to processed foods. Fort Albany First Nation notes that other jobs should not always be considered superior to “bush jobs”, as the cultural, health, and financial impacts on someone’s extended family and household may not be compensated with cash (FAFN, 2020).

### **3.6.4 Ability to Practice and Transmit Cultural Traditions**

A Fort Albany First Nation Elder defines cultural wellbeing as the “continuation of the Cree language, and the practice of spirituality (or conversely not engaging in unhealthy activities such as alcohol consumption or drugs) reconnecting with their ancestors / spirits and rejuvenating oneself” (Tsuji et al., 2023).

Mushkegowuk communities continue to engage their youth in learning about their way of life and their territory. Approaches to formal and non-formal education reflect practices that are specific to them and not necessarily represented in text, as there is a strong oral tradition. The Omushkegowuk have been shown two distinct forms of relating to the world: those passed on by Elders, parents, and knowledge holders in the community; and those brought in via dominant development, forced assimilation, institutional education, and other texts that shape the everyday lives of people (Gruner, 2012). When considering development, people consider both the potential job opportunities that are needed in tandem with the desire to make sure the Mushkegowuk way of life, the rivers, and the lands are available to future generations (Gruner, 2012).

Cree culture, at the core, is traditionally based on land stewardship activities, ethics, and skills. Cultural learning is rooted in various practices, including: events that are highly social (e.g., hunting and preparing geese and moose for special events or to be gifted to families) (Metatawabin, 2008, as cited in Gruner, 2012); strong oral traditions (e.g., passing on stories) (Bird, 2005, 2007, as cited





in Gruner, 2012); teaching youth about working in sustainable logging (e.g., gathering fallen trees for lumber, buildings, or furniture) (Russel, 2007, as cited in Gruner, 2012); and, spending time developing and discussing programs for activities, cultural camps, and celebrations. As such, the confidence of a community is strengthened by leadership in resource management (Berkes et al., 1995).

Cultural traditions in terms of gender roles have been impacted by the shifting mixed economy. Traditionally, when men were out hunting (i.e., absent from the home), the power of decision making in the camp and / or the home would lie with the women. Problems would be solved by grandmothers and mothers, solidifying the basis of power of women within society. In a subsistence society, women played and continue to play an important role as the contributions by both men and women measured by contributions to the whole and the need for survival, rather than the values placed on gender roles (Hookimaw-Witt, 2006).

Place naming speaks to governance and authority and original names orient local people to an Indigenous history. Indigenous names have been largely lost to English via colonial mapping and the continued inattention to the histories of Indigenous Peoples (Gruner, 2012). When Indigenous groups refer to the land, references are made in the entire context of their Indigenous homelands, as defined by them, and not just reserve lands (Tsuji et al., 2023). Cultural learnings can be rooted in educational activities and university supported and locally-driven research that involve a revitalization of Mushkegowuk lived experience and history in the broader territory (Gruner, 2012).





## 3.7 Understanding of Cultural Continuity and Wellbeing in Relation to the Project Area

**Sections 3.7.1 to 3.7.4** describe the current understanding of Fort Albany First Nation cultural continuity and wellbeing factors in relation to the proposed Project. It is expected that these factors will form the foundation for the assessment on Fort Albany First Nation's cultural continuity and wellbeing.

It is recognized that Fort Albany First Nation's cultural continuity and wellbeing is closely related to land, water, and resource use for traditional purposes. As noted in **Section 3.5**, it is assumed that Fort Albany First Nation's land, water, and resource use for traditional purposes does not occur within the Project Development Area, Local Study Area or Regional Study Area for the assessment. However, as noted in Section 3.4.4, Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation). As such, there is a potential that opportunistic hunting, fishing, and berry and plant gathering for traditional purposes may have occurred along the Albany River outside of Fort Albany First Nation's preliminary Area of Interest.

It is important to note that the purpose of this preliminary existing conditions report, is to develop an understanding of what is important for Fort Albany First Nation cultural continuity and wellbeing. This is not an assessment of potential impacts to Aboriginal and / or Treaty Rights. The assessment on potential impacts will be completed in future stages of the Impact Assessment / Environmental Assessment.

The assessment of potential impacts on cultural continuity and wellbeing will also be informed by the results of other relevant Valued Component assessments (e.g., visual, noise, air etc.). It will also be informed by additional inputs from the Indigenous Knowledge and / or Consultation Programs.



### 3.7.1 Protection of Cultural, Spiritual, and Historical Sites and Areas

As noted in **Section 3.5.5**, there is no information available on the specific locations of cultural sites and areas of potential importance to Fort Albany First Nation in relation to the proposed Project.

It is likely that the protection of waterways is important to Fort Albany First Nation for the protection of cultural areas, and for cultural continuity and wellbeing. This lens will be applied to the assessment on Fort Albany First Nation's cultural continuity and wellbeing.

**Sections 3.7.1.1 to 3.7.1.3** provide an overview of cultural, spiritual, and / or sacred sites and areas in relation to the Project Development Area and the Local and Regional Study Areas.



### **3.7.1.1 Project Development Area**

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As noted in **Section 3.6.1**, there is no available information on specific locations of spiritual, cultural, and historical sites of importance to Fort Albany First Nation. Further, given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Project Development, it is likely that these sites do not occur within the Project Development Area.

As noted in **Section 3.4.4**, Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation) and is considered culturally important (Section 3.6.1). As such there is a potential that spiritual, cultural, and historical sites and areas may exist along this travel route within the Project Development Area. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

### **3.7.1.2 Local Study Area**

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As noted in **Section 3.6.1**, there is no available information on specific locations of spiritual, cultural, and historical sites of importance to Fort Albany First Nation. Further, given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Local Study Area, it is likely that these sites do not occur within the Local Study Area.

As noted in **Section 3.4.4**, Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation) and is considered culturally important (**Section 3.6.1**). As such there is a potential that spiritual, cultural, and historical sites and areas may exist along this travel route within the Local Study Area. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.

### **3.7.1.3 Regional Study Area**

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As noted in **Section 3.6.1**, there is no available information on specific locations of spiritual, cultural, and historical sites of importance to Fort Albany First Nation. Further, given that the preliminary Area of Interest for Fort Albany First Nation does not overlap with the Regional Study Area, it is likely that these sites do not occur within the Regional Study Area.

As noted in **Section 3.4.4**, Fort Albany First Nation has historically used the Albany River as a travel route to Ogoki Post (Marten Falls First Nation) and is considered culturally important (Section 3.6.1). As such there is a potential that spiritual, cultural, and historical sites and areas may exist along this travel route within the Regional Study Area. The present day use of the Albany River by Fort Albany First Nation for travel to Ogoki Post (Marten Fall First Nation) needs to be confirmed.





### 3.7.2 Continued Experiences on the Land

Based on the information available and presented in [Section 3.6.2](#), it is assumed that the following is important to Fort Albany First Nation for the continued experiences on the land, and for cultural continuity and wellbeing:

- Access to quiet and undisturbed areas of solitude for peaceful and calming experiences on the land;
- Connection to the landscape by being able to access preferred and ancestral sites and locations, including family harvesting sites and areas, for cultural practices; and,
- Being able to maintain community and kinship ties and values through community social traditions like the spring goose hunt and cultural traditions like sharing meat.

This lens will be applied to the assessment on Fort Albany First Nation's cultural continuity and wellbeing.

### 3.7.3 Sufficiency of Lands, Waters, and Resources

Based on the information available and presented in [Section 3.6.3](#), it is assumed that the following is important to Fort Albany First Nation and for cultural continuity and wellbeing, and for the ability of Fort Albany people to honour their role as custodians of their lands:

- A sufficient level and quality of lands, waters, and resources, as well as access to these resources; and,
- Being able to practice traditional land governance.

This lens will be applied to the assessment on Fort Albany First Nation's cultural continuity and wellbeing.

### 3.7.4 Ability to Practice and Transmit Cultural Traditions

Based on the information available and presented in [Section 3.6.4](#), it is assumed that the following is important to Fort Albany First Nation for the continued practice and transmission of cultural traditions:

- Being able to have intergenerational experiences on the land to practice language and traditions;
- Being able to practice cultural traditions in the preferred way (i.e., preferred resources and methods in the preferred times of year); and,
- Being able to have continued access to and use of important teaching sites and areas, including place names and sites and areas of importance based on oral history.

This lens will be applied to the assessment on Fort Albany First Nation's cultural continuity and wellbeing.





# Next Steps



The Marten Falls First Nation Project Team invites you to share your feedback and comments on the information contained in this preliminary draft report. We welcome any additional information you would like to share with us. If there are additional sources of information you would like us to include for this report, we welcome you sending this information. We are available to meet at your earliest convenience to further discuss the information found in this report. To arrange a time to meet and/or to provide comments or share additional information, please contact:

**Bob Baxter, Marten Falls First Nation  
Community Advisor**

Email: [REDACTED]  
Phone: [REDACTED]

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Community Advisor**

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