



Impact Assessment
Agency of Canada

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600-55 rue York
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August 4, 2020

Sent by email

Chief Dorothy Towedo
Aroland First Nation
P.O. Box 10
Aroland First Nation ON P0T 1B0
<Email address removed>

Dear Chief Dorothy Towedo:

Subject: Review of the Final Indigenous Engagement and Partnership Plan and the Tailored Impact Statement Guidelines for the Marten Falls Community Access Road Project

Thank you for your submission to the Impact Assessment Agency of Canada (the Agency) dated March 23, 2020, regarding the Marten Falls Community Access Road Project (Project). I regret the delay in responding to your correspondence.

Your submission seeks clarification of Agency-led consultation activities and proponent-led engagement activities with Aroland First Nation during the impact assessment of the Project. You also discuss the Northern Road Link announcement and express your support for the Regional Assessment of the Ring of Fire area. This letter provides the clarification you seek and shares information on the Regional Assessment and Northern Road Link.

Aroland First Nation's Participation in Baseline Studies

The Agency notes Aroland First Nation's preference for direct involvement in the development and execution of baseline studies to support the impact assessment process. Please refer to Sections 6, 6.2, 6.3, 7.2, 7.3 and 7.4 of the Tailored Impact Statement Guidelines (the Guidelines), which require the proponent to provide Indigenous groups with opportunities to be involved in baseline studies, selecting valued components and indicators, and defining spatial and temporal boundaries.

Canada's Commitment to Implementing the United Nations Declaration on the Rights of Indigenous Peoples

The Agency integrates Indigenous consultation throughout the impact assessment process. Consultation tools, methods and objectives for meaningful Indigenous consultation were identified with Indigenous groups during the planning phase and summarized by the Agency in the Indigenous Engagement and Partnership Plan (IEPP). The Agency's plan and intent to seek free, prior, and informed consent during the impact assessment process is reflected in the IEPP.

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Community-Specific Annex to the Indigenous Engagement and Partnership Plan (IEPP Annex)

Aroland First Nation expressed interest in an IEPP Annex for the Project's impact assessment, particularly to have a community workshop on effects assessment with the Agency and proponent and a community meeting on the Minister's decision and how the community's input was considered.

The intent of the IEPP Annex is to identify community-specific consultation methods, activities, and objectives that are relative to the Project and not already reflected in the IEPP. The Agency is of the view that Aroland First Nation's interests in a workshop and meeting are captured in the IEPP without an IEPP Annex. With respect to the workshop, the IEPP indicates that the Agency committed to organize meetings with the Agency, the proponent, expert authorities and the Indigenous groups to discuss technical matters (see Table 6.1, Phase 2: Impact Statement). In the IEPP, the Agency also committed to a virtual meeting with the community to discuss the Minister's Decision Statement.

The IEPP is intended to be flexible and does not preclude the Agency from making changes to the approaches described in this plan, in consultation with Indigenous groups, in order to accommodate changes that may occur during the assessment process. If Aroland First Nation identifies other methods, activities and objectives not reflected in the IEPP of the Project, you are invited to notify the Agency, for consideration to develop an IEPP Annex.

Engagement with Indigenous People

The IEPP outlines the opportunities and methods for meaningful Agency-led consultation activities with potentially affected Indigenous groups whereas the Guidelines outline the Agency's expectations of the proponent's engagement of Indigenous groups during the development of its Impact Statement. Sections 6 and 19 of the Guidelines require the proponent to engage with and provide a description of those efforts for each Indigenous group potentially impacted by the Project. Additional instructions for the proponent conduct, including consideration of Indigenous knowledge, are integrated throughout the Guidelines. At a minimum, the Indigenous groups engaged by the proponent should be those identified for consultation in the IEPP.

During proponent engagement activities, potentially impacted Indigenous groups are encouraged to provide input on the design of the project, potential project impacts on Aroland First Nation's exercise of Aboriginal and Treaty rights protected under section 35 of the *Constitution Act, 1982*, project alternatives, and mitigation.

In accordance with the IEPP, the Agency will validate whether the proponent has appropriately characterized the views of potentially impacted Indigenous groups, and where necessary, will follow-up with the proponent.

Regional Assessment

You have noted that the IEPP for the Project does not mention the Regional Assessment of the Ring of Fire area, and have indicated that the IEPP Annex will need to look at the regional impacts. Like the IEPP, the community-specific annex to the IEPP, should one be developed, will focus on the Project.

At this time, no decisions have been made regarding the appropriate activities, outcomes and boundaries for the Regional Assessment in the Ring of Fire area. The next step of the Regional Assessment will be to provide opportunities for interested groups to participate. Information about funding and future opportunities to participate will be announced in the coming weeks. You can provide any further input or submit any question about the regional assessment to Debra Myles at IAAC.RegionalROF-CDFRegionale.AEIC@canada.ca.

The Northern Road Link

The Agency notes Aroland First Nation's concerns regarding the announcement made by the Province of Ontario, Marten Falls First Nation and Webequie First Nation regarding the Northern Road Link. On May 19, 2020, the Agency notified Marten Falls First Nation and Webequie First Nation that the Northern Road Link appears to be designated under the *Impact Assessment Act* and requested an Initial Project Description. At this time, the Agency has not received an Initial Project Description. Upon the proponent's submission of an Initial Project Description that complies with the *Information and Management of Time Limits Regulations*, the Agency will notify Indigenous groups who may be impacted of a formal comment period and seek their views on the Initial Project Description and whether an impact assessment should be required.

Consultation Fatigue

The Agency recognizes that it can be challenging to participate in consultation and engagement activities for multiple processes that are subject to similar timeframes. The Agency team working on the Regional Assessment and the Agency team working on the impact assessments for the individual road projects continue to work together and share the input we receive from Indigenous groups, where possible. As you share information with the Agency regarding the Regional Assessment and/or the road projects, please outline how you wish the information and knowledge to be managed to ensure any confidential information is protected. Please also feel free to mark any information that can be considered across multiple assessment processes. The Agency will work internally to ensure you are provided a response that is appropriate to the issues raised.

How Aroland First Nation's Comments Were Considered by the Agency

Appendix I of your submission includes a resubmission of comments received on January 27, 2020, with a request for an explanation of how the comments were considered in the Indigenous Engagement and Partnership Plan (IEPP) and the Tailored Impact Statement Guidelines (the Guidelines) for the Project.

With respect to the Appendix I comments Aroland First Nation wanted addressed in the IEPP, the Agency wishes to advise that the IEPP describes how the Agency plans to work with Indigenous groups during the impact assessment for the Project. It does not focus on proponent conduct. The Guidelines, not the IEPP, describe the requirements for proponent-led activities. To clarify how the Agency incorporated into the Guidelines the Aroland First Nation comments on proponent conduct, we have provided an enclosure with this letter. In the enclosure, we have taken the list of Appendix I comments and cross-referenced them with the comment summaries in the Agency's summary table of comments that was provided to Aroland First Nation on February 24, 2020. The Agency also added postscripts to the comment summaries to explain how the Appendix I comments are considered. The Agency will share the enclosure with the proponent to support the proponent's efforts to conduct engagement activities and prepare the Impact Statement.

Understanding of Potential Impacts of the Project on Aroland First Nation's Aboriginal and Treaty Rights

Based on the updated information provided in Appendix II of your submission we understand that the Agency may need to update our Summary of information available to the Crown with respect to the potential adverse impacts of the Project on Aroland First Nation. Since information was identified as confidential in the submission, we would like to seek clarification on which items in particular are confidential and the reasons they should remain confidential.

Comments provided to the Agency should not include information that is private or confidential, or that could cause a security concern. Once we understand the confidentiality concerns, we will update our Summary document accordingly and will share with you to review. Once clarification is provided, the Agency will also share the appropriate content with the proponent to inform its preparation of the Impact Statement.

Important Note

Any information submitted to the Agency to inform this project assessment will be made publicly available as part of the project file, and may be posted online via the Internet site (Reference #80184) subject to certain exceptions related to privacy, security or confidentiality. The Agency's Submission Policy (<https://iaac-aeic.gc.ca/050/evaluations/participation/conditions>) determines which submitted information can be shared publicly, and what should remain private. For further information on how we protect your privacy, please refer to the Privacy Notice (<https://iaac-aeic.gc.ca/050/evaluations/protection?culture=en-CA>). If you do not want your comment posted on the Registry, please contact us at IAAC.MartenFalls.AEIC@canada.ca or call the Agency at 416-476-5476 prior to submitting your comment.

If you have any questions, please feel free to contact me at 416-476 5476 or at IAAC.MartenFalls.AEIC@canada.ca. I welcome the opportunity to work collaboratively with your community.

Sincerely,

<Original signed by>

for

Caitlin Cafaro
Crown Consultation Coordinator

Enclosure - Agency's Response to Aroland First Nation (23 pages)

c.c.: Sheldon Atlookan, Aroland First Nation
Earnie Atlookan, Aroland First Nation
Anne Marie Magiskan, Aroland First Nation
Meghan Buckham, Shared Value Solutions
Andrew Peach, Shared Value Solutions
Donald Ritcherson, Shared Value Solutions
James Telford, Shared Value Solutions
Kate Kempton, Olthuis Kleek Townshen LLP

Enclosure – Agency’s Response to Aroland First Nation

On February 24, 2020, the Agency responded to comments received on the draft planning phase documents, including the Tailored Impact Statement Guidelines and the Indigenous Engagement and Partnership Plan in the form of a summary table¹. The middle column and the Agency response column were included in that table. Given the follow-up from Aroland First Nation, the Agency has shown in the table below the cross-walk between Aroland First Nation’s comments, the Agency’s comment summary and the Agency’s response. In addition, the Agency has included post-scripts to the Agency’s responses in the third column of this table to provide additional clarity. The Agency will share this table with the proponent to support the proponent’s efforts to conduct engagement activities and prepare the Impact Statement.

Aroland First Nation Comment	Comment Number and Comment Summary from the Summary Table, dated February 24, 2020	Agency Response from the Summary Table, dated February 24, 2020, plus Added Postscript Clarification
<p>Commented that in Section 6, the guidelines stipulate that the proponent must provide opportunities to Indigenous groups to:</p> <ul style="list-style-type: none"> • “provide Indigenous knowledge during baseline data collection; • comment on the list of VCs and indicators; • inform the effects assessment and review its conclusions; and • inform the development of mitigation measures and follow-up programs.” <p>To meaningfully engage and participate in the above activities, proponents must also provide capacity to Indigenous groups. In addition, there should be a stronger commitment and effort from the proponent to work collaboratively with Indigenous groups to co-develop VCs, mitigation measures and follow-up programs.</p> <p>Recommended the following change: Please consider adding the word “capacity” to the following sentence: “In addition to the requirements set out in Section 6.1, 6.2 and 6.3, the proponent must provide Indigenous groups with an opportunity and capacity to.”</p>	<p>Comment #74</p> <p>Commented on the need to follow the principles and protocols for consultation and engagement established by Indigenous groups.</p> <p>Commented that the proponent needs to be engaging with Indigenous groups to ensure adequate community participation to discuss impacts, mitigation measures, and benefits. This needs to take place with each Indigenous group with their own protocols and memorandums of understanding being established to promote a two-way dialogue.</p>	<p>The Agency reviews consultation protocols that are provided by Indigenous groups in order to inform consultation conduct with Indigenous groups. This information has been used to inform the Agency’s Indigenous Engagement and Partnership Plan to the extent possible. Community-specific annexes to the Indigenous Engagement and Partnership Plan may also be developed to identify additional opportunities for participation or consultation during the impact assessment.</p> <p>The Agency encourages Indigenous groups provide information on protocols and preferences to the proponent and make sure that engagement preferences are clarified to support the proponent’s engagement activities as outlined in Section 6 and elsewhere in the Tailored Impact Statement Guidelines.</p> <p>Postscript: To interpret the expectations of proponent conduct, the Guidelines should be reviewed holistically. To meet requirements outlined in Sections 6, 6.1 to 6.3, 7.3, 10, 12, 13, 16, 17, 18, 19, 19.1, 19.2, 25 and 26.2, the Agency expects the proponent to work with Indigenous groups to determine how best to conduct engagement such that Indigenous concerns, input and views on the</p>

¹ <https://iaac-aeic.gc.ca/050/documents/p80184/134002E.pdf>

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<p>Recommended that the language in the bulleted list be strengthened to:</p> <ul style="list-style-type: none"> • co-develop the list of VC's and indicators; • jointly participate in the effects assessment and review its conclusions; and • co-develop mitigation measures and follow-up programs. <p>Commented that in Section 6.2, article 32.1 of UNDRIP states that Indigenous Peoples shall be consulted in good faith through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting the community's lands or resources. The analyses and responses Section should include the consideration of how/if consent has/will be sought.</p> <p>Recommended the following change:</p> <p>In addition to, the analysis and responses outlined in the bulleted list, Aroland First Nation recommends additional bullets be added specific to free, prior and informed consent:</p> <ul style="list-style-type: none"> • where and how the proponent supported Indigenous groups' free, prior and informed consent; • description of future activities and processes that consider and support Indigenous groups' free, prior and informed consent. 	<p>Comment #80</p> <p>Commented that the United Nations Declaration on the Rights of Indigenous Peoples needs to be incorporated into the Agency's Crown consultation conduct.</p> <p>Asked what would happen if the community did not give consent for the Project.</p> <p>Asked about meetings with the Minister of Environment and Climate Change or opportunities to appeal decisions made pursuant to the <i>Impact Assessment Act</i>.</p>	<p>Project, effects, impacts, and mitigation and follow-up measures are understood, addressed and incorporated by the proponent in the Impact Statement. In addition, the Agency expects the proponent to support participation by Indigenous groups in proponent-led engagement activities.</p> <p>The Government of Canada is committed to renewing the relationship with Indigenous peoples based on the recognition of rights, respect, cooperation and partnership. The Government of Canada is also committed to fully implement the United Nations Declaration on the Rights of Indigenous Peoples in the Canadian context, as reaffirmed in the preamble of the <i>Impact Assessment Act</i>. Through the Indigenous Engagement and Partnership Plan, the Agency supports the Government's commitment to advancing reconciliation with Indigenous groups.</p> <p>The Agency will share views expressed, including the reasons for the views in relation to potential impacts on the exercise of rights with the Minister to support his decision-making. When requested, the Minister takes meetings, but may sometimes delegate such requests to Agency officials. Other than providing for an appeal of a review officer decision under section 138, the Impact Assessment Act does not specify opportunities to appeal decisions made under the Act. In some circumstances, decisions made under the Act may be challenged by way of an application for judicial review to the federal court.</p> <p>Postscript: The Agency does not delegate the Crown's duty to consult to the proponent. In accordance with the</p>

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<p>Commented that in Section 6.2, there is a bulleted list outlining what should be included in the analysis and response. For clarity, stronger language will hold the proponent accountable to undertaking the necessary activities outlined in the bulleted list.</p> <p>Recommended the following change: Please consider replacing the words "are to include" to "must include" to ensure proponent is held to account on delivering the analyses and responses necessary to support a meaningful process.</p>	<p>Comment #64 Asked for more information regarding opportunities available to Indigenous groups for project oversight or to participate in joint decision-making regarding project design. Asked whether Indigenous groups can be partners in the impact assessment process.</p> <p>Asked whether Indigenous groups may provide Indigenous knowledge, articles, reports, and studies to the Agency to consider in the impact assessment process.</p> <p>Commented that Indigenous groups should be able to inform the thresholds that are used to guide the assessment of project effects.</p>	<p><i>Indigenous Engagement and Partnership Plan, the Agency will seek to validate with Indigenous groups the information related to potential impacts on Indigenous groups and the exercise of their rights.</i></p> <p>The proponent has been provided direction in Section 6 of the Tailored Impact Statement [Guidelines] to work with Indigenous groups during the preparation of the Impact Statement. During those engagement activities, potential impacted Indigenous groups, are encouraged to engage meaningfully to provide advice on the design of the project, including alternatives assessment, location of project components, and potential impacts on the exercise of rights, when requested to do so by the proponent. An important aspect of impact assessment is the identification of mitigation and follow-up program measures. Such discussions can help inform the proponent's selection of appropriate thresholds to use in the effects assessment. The proponent has been provided direction to seek the views of Indigenous groups in their selection and during those discussions, potentially impacted Indigenous groups are requested to share other information such as express interests in participation in monitoring. In accordance with the Indigenous Engagement and Partnership Plan, the Agency will validate whether the proponent has appropriately characterized the views of potentially impacted Indigenous groups, and where necessary, follow-up with the proponent.</p> <p>The Agency is of the view that potentially impacted Indigenous groups are an important participant in the impact assessment process and should be provided meaningful opportunities to discuss the potential impacts on the exercise</p>

Aroland First Nation Comment	Comment Number and Comment Summary from the Summary Table, dated February 24, 2020	Agency Response from the Summary Table, dated February 24, 2020, plus Added Postscript Clarification
<p>Commented that in Section 7.2, Indigenous government land use studies and management plans may be available: Indigenous forestry management plans may be available from Indigenous forest management bodies.</p>		<p>of their rights due to the Project. The Indigenous Engagement and Partnership Plan outlines the roles and responsibilities of the Agency and potentially impacted Indigenous groups. Indigenous groups are encouraged to provide information on traditional uses, sites to be avoided and even other reports and studies that might help better design the project as early in the process, preferably the planning phase, but if not in the impact statement phase, to the proponent and Agency, specifying any considerations regarding confidentiality.</p> <p>The Tailored Impact Statement Guidelines describes the roles and responsibilities of the proponent. In combination, these documents are instructive to facilitate a process where each participant has meaningful opportunities to provide information and participate in the development of impact assessment documents to inform the decision-maker.</p> <p>Postscript: The bulleted list referred to in Section 6.2 is a requirement and the Agency will assess the information in the proponent's Impact Statement against all requirements in the Guidelines. In accordance with the IEPP, the Agency will validate whether the proponent has characterized appropriately the views of potentially impacted Indigenous groups, and where necessary, follow-up with the proponent.</p>
<p>Commented that in Section 7.2, Indigenous government land use studies and management plans may be available: Indigenous forestry management plans may be available from Indigenous forest management bodies.</p>	<p>Comment #64 Asked for more information regarding opportunities available to Indigenous groups for project oversight or to</p>	<p>The proponent has been provided direction in Section 6 of the Tailored Impact Statement [Guidelines] to work with Indigenous groups during the preparation of the Impact Statement. During those engagement activities, potential impacted Indigenous groups, are encouraged to engage</p>

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<p>Recommended the following change: Please include land use studies and management plans available from Indigenous governments as sources of baseline information, and Indigenous forestry management plans from Indigenous forest management bodies.</p>	<p>participate in joint decision-making regarding project design.</p> <p>Asked whether Indigenous groups can be partners in the impact assessment process.</p> <p>Asked whether Indigenous groups may provide Indigenous knowledge, articles, reports, and studies to the Agency to consider in the impact assessment process.</p> <p>Commented that Indigenous groups should be able to inform the thresholds that are used to guide the assessment of project effects.</p>	<p>meaningfully to provide advice on the design of the project, including alternatives assessment, location of project components, and potential impacts on the exercise of rights, when requested to do so by the proponent. An important aspect of impact assessment is the identification of mitigation and follow-up program measures. Such discussions can help inform the proponent's selection of appropriate thresholds to use in the effects assessment. The proponent has been provided direction to seek the views of Indigenous groups in their selection and during those discussions, potentially impacted Indigenous groups are requested to share other information such as express interests in participation in monitoring. In accordance with the Indigenous Engagement and Partnership Plan, the Agency will validate whether the proponent has appropriately characterized the views of potentially impacted Indigenous groups, and where necessary, follow-up with the proponent.</p> <p>The Agency is of the view that potentially impacted Indigenous groups are an important participant in the impact assessment process and should be provided meaningful opportunities to discuss the potential impacts on the exercise of their rights due to the Project. The Indigenous Engagement and Partnership Plan outlines the roles and responsibilities of the Agency and potentially impacted Indigenous groups. Indigenous groups are encouraged to provide information on traditional uses, sites to be avoided and even other reports and studies that might help better design the project as early in the process, preferably the planning phase, but if not in the impact statement phase, to the proponent and Agency, specifying any considerations regarding confidentiality.</p>

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<p>Commented that in regards to Section 8.1[1], Indigenous groups may consider certain species to be at risk with respect to local and regional context, traditional territories, and harvesting practices and uses.</p> <p>Recommended the following change: Please amend this section to include reference to species</p>	<p>Comment #147</p> <p>Concerned about the impacts to species at risk including habitat destruction and fragmentation, increased competition from invasive species, changes to air quality, sensory</p>	<p>The Tailored Impact Statement Guidelines describes the roles and responsibilities of the proponent. In combination, these documents are instructive to facilitate a process where each participant has meaningful opportunities to provide information and participate in the development of impact assessment documents to inform the decision-maker.</p> <p>Postscript: Section 2.4 of the Guidelines require the proponent to identify any treaty, self-government, land claims or other agreements between federal or provincial governments and Indigenous groups that are pertinent to the Project and/or the assessment, such as any relevant land use plans, land zoning, or community plans (including any draft Community Based Land Use Plans that are publicly available or have been shared by Indigenous group). In addition Section 7.2 of the Guidelines includes, as potential sources of baseline information, natural resource management plans, as well as community based monitoring and studies conducted by Indigenous communities.</p> <p>Aroland First Nation is invited to share any relevant land use studies and management plans with the proponent to inform the development of the Impact Statement.</p>
<p>Indigenous groups may consider certain species to be at risk with respect to local and regional context, traditional territories, and harvesting practices and uses.</p> <p>Recommended the following change: Please amend this section to include reference to species</p>	<p>Comment #147</p> <p>Concerned about the impacts to species at risk including habitat destruction and fragmentation, increased competition from invasive species, changes to air quality, sensory</p>	<p>Section 15.4 of the Tailored Impact Statement Guidelines require the proponent to assess adverse effects on Species at Risk including impacts from habitat destruction and fragmentation, sensory disturbance (such as noise and vibration), increased predation, mortality due to vehicle collisions, invasive species, impacted air quality, poaching, and barriers to migration. In addition, a list of species at risk</p>

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<p>that Indigenous groups may consider to be at risk with respect to local and regional context, traditional territories and harvesting practices and uses. Furthermore, Indigenous knowledge should be included where available for detecting all species at risk and habitat, migration corridors, spawning areas, etc.</p>	<p>disturbance and collisions with vehicles. Species include, but are not limited to, Wolverine, Bank Swallow, Evening Grosbeak, Peregrine Falcon, Rusty Blackbird, and species identified by Indigenous groups.</p>	<p>found in the project area is provided, and the proponent is required to address each species at risk as an individual valued component.</p> <p>The Agency also notes that Section 20 requires the proponent to indicate how they intend to mitigate effects to species at risk.</p> <p>Postscript: From a holistic view of the Guidelines, the proponent is expected to engage with Indigenous groups to identify species of importance to the Indigenous groups that should be considered in the Impact Statement. Of note, Sections 6 and 13 of the Guidelines indicate that the proponent needs to work with Indigenous groups, provide opportunities for Indigenous groups to impart Indigenous knowledge during baseline data collection, and incorporate Indigenous knowledge in the effects assessment.</p>
<p>Commented that in Section 15.4, there may be species noted as "at risk" by Indigenous groups and local communities and their habitat that are not currently listed under the <i>Species at Risk Act</i> or provincial statutes.</p> <p>Recommend the following change: Please amend the TSIG to include the requirement to describe the potential direct, incidental and cumulative adverse effects of the designated project on species noted to be "at risk" by Indigenous groups.</p>	<p>Comment #110</p> <p>Commented on the importance of having a fulsome understanding of an Indigenous group's social and economic community context so that social and economic effects of the Project, including their interactions, can be fully contemplated. Highlighted the importance of engagement by the proponent to adequately understand</p>	<p>Section 6 of the Tailored Impact Statement Guidelines identifies requirements for the proponent's engagement with Indigenous groups.</p> <p>Sections 12 and 19 require the proponent to engage with Indigenous groups in assessing baseline conditions, and the effects of the Project on social, economic and health conditions of Indigenous peoples.</p> <p>Postscript: Sections 10, 12 and 17 of the Guidelines require the proponent to engage with Indigenous groups</p>
<p>Commented that in Section 10, to understand the community context, the information provided must describe influences on Indigenous community well-being with respect to lack of availability of all-season transportation services between Indigenous communities, and between Indigenous communities and services and goods available through connectivity with the provincial highway system.</p> <p>Recommended the following change: To understand the community context, the information provided must describe influences on Indigenous community</p>	<p>Commented on the importance of having a fulsome understanding of an Indigenous group's social and economic community context so that social and economic effects of the Project, including their interactions, can be fully contemplated. Highlighted the importance of engagement by the proponent to adequately understand</p>	<p>Section 6 of the Tailored Impact Statement Guidelines identifies requirements for the proponent's engagement with Indigenous groups.</p> <p>Sections 12 and 19 require the proponent to engage with Indigenous groups in assessing baseline conditions, and the effects of the Project on social, economic and health conditions of Indigenous peoples.</p> <p>Postscript: Sections 10, 12 and 17 of the Guidelines require the proponent to engage with Indigenous groups</p>

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<p>well-being and intra- and inter- community cohesion with respect to lack of availability of all-season transportation services between Indigenous communities including such matters as governance, recreational interactions and sports tournaments, and health and well-being services, and; interactions between Indigenous communities and services and goods available through connectivity with the provincial highway system including similar matters together with access to provincial and federal government services.</p>	<p>the historical and current context of Indigenous groups. Some groups may already have community-based research that can be shared with the proponent.</p>	<p>to identify and understand the community context and the potential impacts to community well-being, including community cohesion.</p> <p>In addition, the scope and content of the social baseline conditions should take into account community input and priorities.</p>
<p>Commented that [with respect to] Section 11, Aroland First Nation, together with Ginoogaming First Nation and Animbilgoo Zaag'igan Anishinaabek, have published a regional economic development plan linking major gold mining initiatives in the Geraldton area adjacent to the Trans-Canada Highway, with mineral exploration and project development that will be catalyzed/enabled/ supported by the growth of mining services in the region, including the Ring of Fire.</p> <p>Recommend the following change: Aroland First Nation will be expecting that its "Mining Hub" regional economic plan is referenced as part of the economic baseline information for the IA.</p>	<p>Comment #98</p> <p>Commented that there will be compounded economic benefits as a result of mining in the Geraldton area and mining activity in the Ring of Fire Area. This should be studied by the proponent.</p>	<p>Section 22 of the Tailored Impact Statement Guidelines require the proponent to assess the potential cumulative effects of the Project, including on economic conditions.</p> <p>Postscript: Section 7.2 of the Guidelines describes sources for baseline information to be considered by the proponent, including:</p> <ul style="list-style-type: none"> • Indigenous knowledge, including oral histories and knowledge gathered by spending time on the land with knowledge holders; • community based monitoring and studies conducted by Indigenous communities. <p>The Agency encourages Aroland First Nation to share the document with the proponent, as a source of economic baseline information for the impact assessment, at Aroland First Nation's earliest convenience.</p>
<p>Commented that in Section 12, the guidelines outline that proponents are required to engage with Indigenous groups but provides no explicit guidance and reference to methods/approaches to engaging Indigenous groups. How the proponent engages with Aroland First Nation is incredibly important and approaches undertaken in one community may</p>	<p>Comment #64</p> <p>Asked for more information regarding opportunities available to Indigenous groups for project oversight or to participate in joint decision-making regarding project design.</p>	<p>The proponent has been provided direction in Section 6 of the Tailored Impact Statement [Guidelines] to work with Indigenous groups during the preparation of the Impact Statement. During those engagement activities, potential impacted Indigenous groups, are encouraged to engage meaningfully to provide advice on the design of the project,</p>

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<p>not be appropriate for another. Aroland First Nation would like to influence, and jointly develop community specific engagement approaches to support effective development of baseline conditions.</p> <p>Recommend the following change: Recommend that the guidelines explicitly include direction to the proponent to work with each Indigenous group to determine the methods and approaches to engagement.</p>	<p>Asked whether Indigenous groups can be partners in the impact assessment process.</p> <p>Asked whether Indigenous groups may provide Indigenous knowledge, articles, reports, and studies to the Agency to consider in the impact assessment process.</p> <p>Commented that Indigenous groups should be able to inform the thresholds that are used to guide the assessment of project effects.</p>	<p>including alternatives assessment, location of project components, and potential impacts on the exercise of rights, when requested to do so by the proponent. An important aspect of impact assessment is the identification of mitigation and follow-up program measures. Such discussions can help inform the proponent's selection of appropriate thresholds to use in the effects assessment. The proponent has been provided direction to seek the views of Indigenous groups in their selection and during those discussions, potentially impacted Indigenous groups are requested to share other information such express interests in participation in monitoring. In accordance with the Indigenous Engagement and Partnership Plan, the Agency will validate whether the proponent has appropriately characterized the views of potentially impacted Indigenous groups, and where necessary, follow-up with the proponent.</p> <p>The Agency is of the view that potentially impacted Indigenous groups are an important participant in the impact assessment process and should be provided meaningful opportunities to discuss the potential impacts on the exercise of their rights due to the Project. The Indigenous Engagement and Partnership Plan outlines the roles and responsibilities of the Agency and potentially impacted Indigenous groups. Indigenous groups are encouraged to provide information on traditional uses, sites to be avoided and even other reports and studies that might help better design the project as early in the process, preferably the planning phase, but if not in the impact statement phase, to the proponent and Agency, specifying any considerations regarding confidentiality. The Tailored Impact Statement Guidelines describes the roles and responsibilities of the</p>

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<p>Commented that in Section 12, the list of contextual information that may be considered should include an opportunity to develop other contextual factors that may be important for project consideration. There is a risk that the proponent may interpret the list narrowly and Aroland First Nation would like an opportunity to develop and add additional relevant information.</p> <p>Recommend the following change: Please consider adding a bullet to the contextual information list that provides an open-ended opportunity for other important contextual information: <ul style="list-style-type: none"> · other contextual information and/or factors that Indigenous groups identify as valuable for consideration. </p>	<p>Comment #64</p> <p>Asked for more information regarding opportunities available to Indigenous groups for project oversight or to participate in joint decision-making regarding project design.</p> <p>Asked whether Indigenous groups can be partners in the impact assessment process.</p> <p>Asked whether Indigenous groups may provide Indigenous knowledge, articles, reports, and studies to the Agency to consider in the impact assessment process.</p> <p>Commented that Indigenous groups should be able to inform the thresholds that are used to guide the assessment of project effects.</p>	<p>proponent. In combination, these documents are instructive to facilitate a process where each participant has meaningful opportunities to provide information and participate in the development of impact assessment documents to inform the decision-maker.</p> <p>Postscript: According to Section 6 of the Guidelines, the proponent must give consideration to culturally appropriate, gender sensitive, and trauma-informed and healing-centred engagement methods and approaches.</p> <p>The proponent has been provided direction in Section 6 of the Tailored Impact Statement [Guidelines] to work with Indigenous groups during the preparation of the Impact Statement. During those engagement activities, potential impacted Indigenous groups, are encouraged to engage meaningfully to provide advice on the design of the project, including alternatives assessment, location of project components, and potential impacts on the exercise of rights, when requested to do so by the proponent. An important aspect of impact assessment is the identification of mitigation and follow-up program measures. Such discussions can help inform the proponent's selection of appropriate thresholds to use in the effects assessment. The proponent has been provided direction to seek the views of Indigenous groups in their selection and during those discussions, potentially impacted Indigenous groups are requested to share other information such as express interests in participation in monitoring. In accordance with the Indigenous Engagement and Partnership Plan, the Agency will validate whether the proponent has appropriately characterized the views of potentially impacted Indigenous groups, and where necessary, follow-up with the proponent.</p>

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		<p>The Agency is of the view that potentially impacted Indigenous groups are an important participant in the impact assessment process and should be provided meaningful opportunities to discuss the potential impacts on the exercise of their rights due to the Project. The Indigenous Engagement and Partnership Plan outlines the roles and responsibilities of the Agency and potentially impacted Indigenous groups. Indigenous groups are encouraged to provide information on traditional uses, sites to be avoided and even other reports and studies that might help better design the project as early in the process, preferably the planning phase, but if not in the impact statement phase, to the proponent and Agency, specifying any considerations regarding confidentiality. The Tailored Impact Statement Guidelines describes the roles and responsibilities of the proponent. In combination, these documents are instructive to facilitate a process where each participant has meaningful opportunities to provide information and participate in the development of impact assessment documents to inform the decision-maker.</p> <p>Postscript: During the proponent's collection of baseline information, Aroland First Nation is encouraged to share all relevant contextual information with the proponent.</p> <p>Additionally, Section 12 of the Guidelines requires the proponent to provide an opportunity for Indigenous groups to review the information that pertains to them prior to submission of the Impact Statement.</p>

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<p>Commented that in Section 12, understanding historic and current use are important sources of knowledge to inform baseline conditions. However, there should also be consideration of future goals and use and how the project may impact those long-term objectives. There are areas previously impacted by development activities that Aroland First Nation may seek to restore and reclaim. The Project may impact those long-term goals and should be considered alongside historic and current uses.</p> <p>Recommend the following change: Recommend that the impact of the Project on future goals, objectives and use related to Aboriginal rights and interests be considered as part of the assessment process.</p>	<p>Comment #64</p> <p>Asked for more information regarding opportunities available to Indigenous groups for project oversight or to participate in joint decision-making regarding project design.</p> <p>Asked whether Indigenous groups can be partners in the impact assessment process.</p> <p>Asked whether Indigenous groups may provide Indigenous knowledge, articles, reports, and studies to the Agency to consider in the impact assessment process.</p> <p>Commented that Indigenous groups should be able to inform the thresholds that are used to guide the assessment of project effects</p>	<p>The proponent has been provided direction in Section 6 of the Tailored Impact Statement [Guidelines] to work with Indigenous groups during the preparation of the Impact Statement. During those engagement activities, potential impacted Indigenous groups, are encouraged to engage meaningfully to provide advice on the design of the project, including alternatives assessment, location of project components, and potential impacts on the exercise of rights, when requested to do so by the proponent. An important aspect of impact assessment is the identification of mitigation and follow-up program measures. Such discussions can help inform the proponent's selection of appropriate thresholds to use in the effects assessment. The proponent has been provided direction to seek the views of Indigenous groups in their selection and during those discussions, potentially impacted Indigenous groups are requested to share other information such express interests in participation in monitoring. In accordance with the Indigenous Engagement and Partnership Plan, the Agency will validate whether the proponent has appropriately characterized the views of potentially impacted Indigenous groups, and where necessary, follow-up with the proponent.</p> <p>The Agency is of the view that potentially impacted Indigenous groups are an important participant in the impact assessment process and should be provided meaningful opportunities to discuss the potential impacts on the exercise of their rights due to the Project. The Indigenous Engagement and Partnership Plan outlines the roles and responsibilities of the Agency and potentially impacted Indigenous groups. Indigenous groups are encouraged to provide information on traditional uses, sites to be avoided</p>

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		<p>and even other reports and studies that might help better design the project as early in the process, preferably the planning phase, but if not in the impact statement phase, to the proponent and Agency, specifying any considerations regarding confidentiality. The Tailored Impact Statement Guidelines describes the roles and responsibilities of the proponent. In combination, these documents are instructive to facilitate a process where each participant has meaningful opportunities to provide information and participate in the development of impact assessment documents to inform the decision-maker.</p> <p><i>Postscript: Section 12 of the Guidelines recommends that the proponent review the Agency's Interim Guidance: Assessment of Potential Impacts on the Rights of Indigenous Peoples, which states that a preferred approach to evaluating the conditions that support or limit an Indigenous community's meaningful exercise of their rights is "to obtain an understanding of a community's view of a temporal period when there were good conditions for the exercise of rights (and what that looked like) as a baseline for assessment, and then compare current conditions for the exercise of rights with those previous conditions and any community-defined thresholds. Community-defined thresholds can be based on social perception scales, constructed scales, existing socially-defined thresholds (such as land use plans or articulations of desired futures) or thresholds established through a jointly defined approach." Aroland First Nation is encouraged to share all relevant contextual information and views on other matters of interest with the proponent.</i></p>

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<p>Commented that in Section 15.1, effects to fish and fish habitat have direct and indirect impacts on fishing by Indigenous peoples. Fishing and specific fishing locations may be valued components for Indigenous peoples.</p> <p>Recommend the following change: Along with describing direct, incidental or cumulative predicted positive and/or adverse effects to fish (all developmental stages) and fish habitat, this Section should also require describing direct, incidental or cumulative predicted positive and/or adverse effects to fishing by Indigenous peoples and fishing locations valued by Indigenous peoples. As a result, "Fish and Fish Habitat" becomes "Fish, Fish Habitat, and Fishing" to provide better understanding of how fishing practices, access, economic aspects, nutritional aspects, and community well-being aspects will be impacted.</p>	<p>Comment #36</p> <p>Commented that there could be negative impacts to fish and fish habitat as a result of the Project, due to habitat disruption, water contamination, road crossings, increased fishing from tourism, changes in water flow, and quantity, and compounded problems with existing fish diseases.</p> <p>Particular fish of concern include Pike, White Fish, Sturgeon, Walleye, Brook Trout, Northern Pike, Pickerel, and Lake Whitefish.</p> <p>There should also be consideration of past and current commercial fishing and relevant fisheries management zones.</p>	<p>Section 8.8 of the Tailored Impact Statement Guidelines requires the proponent to study the baseline conditions. Species of interest have been added to Section 8.8.</p> <p>Section 15.1 requires the proponent to assess the positive and adverse effects to fish and fish habitat, including spawning grounds.</p> <p>Consideration of existing conditions of and potential effects on commercial fisheries are included in Sections 8, 11 and 19.</p> <p>Postscript: While Sections 8.8 and 15.1 of the Guidelines focus on the natural resource of fish and fish habitat, the connection of this resource to the activity of fishing is made by considering the requirements in Sections 12.4 and 19. Section 12.4 of the Guidelines expects the proponent to document the nature and extent of the exercise of rights of Indigenous peoples, potentially impacted by the Project, as identified by the Indigenous group(s) including, but not limited to:</p> <ul style="list-style-type: none"> • quality and quantity of resources required to support exercise of rights (e.g., preferred species, level of health of preferred species, volume of preferred species); • access to the resources required to exercise rights (e.g., physical access to culturally important places, timing, seasonality, distance from community);

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<p>Commented that in Section 15.2, effects to birds, migratory birds and their habitat have direct and indirect impacts on bird hunting by Indigenous peoples. Bird hunting and specific bird hunting locations may be valued components for Indigenous peoples.</p> <p>Recommend the following change: Along with describing direct, incidental and cumulative predicted positive and/or adverse effects to migratory birds and non-migratory birds, including population level effects that could be caused by all project activities, this Section should also require describing direct, incidental or cumulative predicted positive and/or adverse effects to bird hunting by Indigenous peoples and bird hunting locations valued by Indigenous peoples. As a result, "Birds, migratory birds and their habitat" becomes "Birds, migratory birds and their habitat, and bird hunting" to provide better understanding of how bird hunting practices, access, economic aspects, nutritional aspects, and community well-being aspects will be impacted.</p>	<p>Comment #10</p> <p>Commented on the need to adequately assess impacts to birds and bird habitat, including the utilization of best available resources and models, as well as, Indigenous knowledge.</p> <p>The following bird species have been identified as necessary to study: Whip-poor-Will, Common Nighthawk, Canada Geese, Snow Geese, Swans, Gyrfalcons, Loons, and Peregrine Falcons.</p> <p>Ducks and geese were identified as important to Indigenous peoples' diets, especially in waterfowl habitats.</p>	<ul style="list-style-type: none"> • <i>experience associated with the exercise of rights (e.g., noise and sensory disturbances, air quality, visual landscape);</i> <p>Section 19 requires the proponent to assess effects to Indigenous peoples (including effects on activities, resources, access and experience) and impacts on their exercise of Aboriginal and Treaty rights.</p> <p>Section 8.9 of the Tailored Impacts Statement Guidelines requires the proponent to study the baseline conditions for birds, migratory birds and their habitat, including bird species of cultural importance to Indigenous communities. This includes the additions of Canada Goose, Snow Goose, Swans, Gyrfalcons, Loons, Peregrine Falcons and ducks that were identified as having Indigenous cultural importance. Section 15.2 requires the proponent to assess the Project's adverse effects on birds, migratory birds and their habitat. The information presented in the proponent's Impact Statement must be informed by Indigenous knowledge.</p> <p>During the impact statement phase, the Agency, in collaboration with federal authorities, will be pleased to discuss methodologies for the baseline and effects assessment studies.</p> <p>The Agency also notes that additional guidance regarding baseline information collection is identified in Appendix 1.</p> <p>Postscript: While Sections 8.9 and 15.2 of the Guidelines focus on birds, migratory birds and their habitat, the connection of this resource to the activity of hunting is made by considering the expectations in Sections 12.4</p>

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<p>Commented that in Section 15.3, effects to terrestrial wildlife and their habitat may have direct and indirect impacts on wildlife hunting and trapping by Indigenous peoples. Wildlife hunting and trapping, and specific hunting and trapping locations may be valued components for Indigenous peoples.</p>	<p>Comment #149</p> <p>Commented about effects on wildlife, including due to noise, habitat disruption, changes to home range and movement patterns, road collisions,</p>	<p><i>and 19. Section 12.4 of the Guidelines expects the proponent to document the nature and extent of the exercise of rights of Indigenous peoples, potentially impacted by the Project, as identified by the Indigenous group(s) including, but not limited to:</i></p> <ul style="list-style-type: none"> • <i>quality and quantity of resources required to support exercise of rights (e.g., preferred species, level of health of preferred species, volume of preferred species);</i> • <i>access to the resources required to exercise rights (e.g., physical access to culturally important places, timing, seasonality, distance from community);</i> • <i>experience associated with the exercise of rights (e.g., noise and sensory disturbances, air quality, visual landscape);</i> <p>Section 19 requires the proponent to assess effects to Indigenous peoples (including effects on activities, resources, access and experience) and impacts on their exercise of Aboriginal and Treaty rights.</p> <p><i>In addition, the assessments of cumulative effects and impacts on the exercise of Aboriginal and Treaty rights are captured in Section 22.</i></p>
<p>Commented that in Section 15.3, effects to terrestrial wildlife and their habitat may have direct and indirect impacts on wildlife hunting and trapping by Indigenous peoples. Wildlife hunting and trapping, and specific hunting and trapping locations may be valued components for Indigenous peoples.</p>	<p>Comment #149</p> <p>Commented about effects on wildlife, including due to noise, habitat disruption, changes to home range and movement patterns, road collisions,</p>	<p>Edits were made to Sections 15.3 of the Tailored Impact Statement Guidelines that require the proponent to assess the project effects on terrestrial wildlife and their habitat (including insects) including but not limited to noise and sensory disturbances, increased air traffic, habitat alteration, air emission and dust, increase predation, invasive species</p>

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<p>Recommend the following change: Along with describing the potential direct, incidental and cumulative adverse effects to other wildlife and wildlife habitat, including population level effects that could be caused by all project activities, this Section should also require describing direct, incidental or cumulative predicted positive and/or adverse effects to wildlife hunting and trapping by Indigenous peoples and wildlife hunting and trapping locations valued by Indigenous peoples. As a result, "Terrestrial wildlife and their habitat" becomes "Terrestrial wildlife, their habitat and hunting and trapping" to provide better understanding of how wildlife hunting and trapping practices, access, economic aspects, nutritional aspects, and community well-being aspects will be impacted.</p>	<p>human disturbance, sensory disturbance, and increased recreational activities.</p> <p>Wildlife should include insects, invasive species, marine mammals, and pests.</p>	<p>and poaching opportunities.</p> <p>Section 7 requires the proponent to engage with Indigenous groups to gather baseline data. Section 15.5 requires the proponent to consider Project effects to climate change.</p> <p>Section 22 requires the proponent to assess the cumulative effects of the Project.</p> <p>The Agency also notes that marine mammals are out of scope for the assessment of the current project.</p> <p>Postscript: While Section 15.3 of the Guidelines focuses on terrestrial wildlife and their habitat, the connection of this resource to the activity of hunting and trapping is made by considering the expectations in Sections 12.4 and 19. Section 12.4 of the Guidelines expects the proponent to document the nature and extent of the exercise of rights of Indigenous peoples, potentially impacted by the Project, as identified by the Indigenous group(s) including, but not limited to:</p> <ul style="list-style-type: none"> • quality and quantity of resources required to support exercise of rights (e.g., preferred species, level of health of preferred species, volume of preferred species); • access to the resources required to exercise rights (e.g., physical access to culturally important places, timing, seasonality, distance from community);

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<p>Commented [that with respect to] Section 15.5, Indigenous peoples have a great deal of Indigenous knowledge of historic and contemporary climate change characteristics and impacts.</p> <p>Recommend the following change: This Section should include a requirement to describe or reference Indigenous knowledge of historic and contemporary climate change characteristics and impacts, and considerations from Indigenous peoples for how climate change may impact the Project and its components during construction, operation and decommissioning.</p>	<p>Comment #12</p> <p>Commented that the Tailored Impact Statement Guidelines need to inform the proponent to adequately assess the impacts to peatlands and muskegs, which are critical carbon sinks in Northern Ontario. The proponent should use the best available resources, including Indigenous knowledge.</p>	<ul style="list-style-type: none"> • <i>experience associated with the exercise of rights (e.g., noise and sensory disturbances, air quality, visual landscape);</i> <p>Section 19 requires the proponent to assess effects to Indigenous peoples (including effects on activities, resources, access and experience) and impacts on their exercise of Aboriginal and Treaty rights.</p> <p>Section 14.3 of the Tailored Impact Statement Guidelines require the proponent to assess changes resulting from the Project to riparian, wetland and terrestrial environments. The Agency notes that Section 15.5 of the Tailored Impact Statement Guidelines require the proponent to assess the Project's effects on climate change, including the effects arising from increased greenhouse gases emissions and a qualitative description of effects on carbon sinks from removal and alteration of wetlands.</p> <p>Postscript: According to Section 23.2 of the Guidelines, the Impact Statement must, when describing possible effects from climate change, describe how considerations from Indigenous peoples on climate change may impact the Project were considered.</p>
<p>Commented [that regarding] Section 17.1, given the likelihood of infrastructure (e.g. transmission, telecommunications, pipelines) co-location within road rights-of- way, such infrastructure should be explicitly mentioned.</p> <p>Recommend the following change: Please make explicit reference to infrastructure that may be</p>	<p>Comment #23</p> <p>Commented that future infrastructure and telecommunications need to be considered under economic impacts.</p>	<p>Section 18.4 requires the proponent to describe whether the Project will result in, or facilitate the construction of, other infrastructure (such as railways, airports, power plants, transmission lines, pipelines, dams, water mains, sewage lines, etc.).</p> <p>Postscript: Section 17.1 of the Guidelines refers to community based infrastructure and services. The list</p>

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<p>co-located within road rights-of-way – transmission, telecommunication and pipeline infrastructure.</p>		<p>provided is not exhaustive and should be developed by the proponent in collaboration with Indigenous groups and local communities.</p>
<p>Commented [that with respect to] Section 17.4, this Section should define community cohesion.</p> <p>Recommend the following change: Community cohesion can be defined as the willingness of members of communities to cooperate with each other in order to survive and prosper. As such, this Section should require the development of indicators of community cohesion that can then be used to describe the potential direct, incidental and cumulative adverse effects to community cohesion that could be caused by all project activities.</p>	<p>Comment #143</p> <p>Commented that community cohesion needs to be better defined for clarity.</p>	<p>An addition was made to Section 17.4 to provide a definition of community cohesion.</p> <p>Postscript: The Agency has captured community cohesion in Section 10 of the Guidelines that encompasses inter-community relationships. The Guidelines state that the proponent is required to include the following baseline information to assess community cohesion:</p> <ul style="list-style-type: none"> • basic demographic characteristics of the community; • relevant community background and historical experience with similar infrastructure and/or resource development projects; • proportion of community members who live in the community year-round; and • description of social cohesion or social capital, including factors such as community/ neighbourhood involvement, social networks/ support, and social well-being, including inter-community relationships. <p>Additionally, Sections 10, 17 and 19 of the Guidelines require that baseline information, effects and the impacts on the rights must be informed by Indigenous groups during the proponent's engagement activities. Aroland First Nation is encouraged to share all relevant contextual information and views on community cohesion with the proponent.</p>

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<p>Commented that in Section 19.1, the list of considerations that are encouraged as “best practices” must be included to fully understand the effects of the Project on Aroland First Nation and other Indigenous groups. The assessment of potential socio-economic impacts of the Project should not be encouraged, but mandatory.</p> <p>Recommend the following change: Ensure that the factors and considerations outlined as best practices are mandatory so that the socio-economic effects of the Project on Indigenous peoples is fully contemplated.</p>	<p>Comment #110</p> <p>Commented on the importance of having a fulsome understanding of Indigenous group’s social and economic community context so that social and economic effects of the Project, including their interactions, can be fully contemplated. Highlighted the importance of engagement by the proponent to adequately understand the historical and current context of Indigenous groups. Some groups may already have community-based research that can be shared with the proponent.</p>	<p>Section 6 of the Tailored Impact Statement Guidelines identifies requirements for the proponent’s engagement with Indigenous groups.</p> <p>Sections 12 and 19 require the proponent to engage with Indigenous groups in assessing baseline conditions, and the effects of the Project on social, economic and health conditions of Indigenous peoples.</p> <p>Postscript: In the Impact Statement, the proponent is expected to defend the quality of the assessment, which must include rationale for decisions made. Aroland First Nation is encouraged to share their views with the proponent on the practices proposed by the proponent to inform the assessment that would be described in the Impact Statement.</p>
<p>Commented in Section 19, the guidelines state that “Engagement with Indigenous groups is required to inform the impact assessment and identify measures to avoid or minimize potential impacts on Indigenous peoples from the project.” Accommodation measures should also be considered in cases where impacts to Indigenous cannot be avoided and/or mitigated.</p> <p>Recommend the following change: Please add the word “accommodation” to the following sentence: “Engagement with Indigenous groups is required to inform the impact assessment and identify measures to avoid or minimize or accommodate potential impacts on Indigenous peoples from the project.” The word accommodate should also be added to any other phrases throughout that</p>	<p>Comment #107</p> <p>Commented that consultation with Indigenous peoples is required to understand the Project’s potential impacts on the exercise of Aboriginal and Treaty rights, including impacts on traditional territory and way of life.</p> <p>Requested that the assessment consider access and use of land and resources, land claims, the historical context of colonialism and government approved development in the area, and Indigenous language</p>	<p>Section 19 of the Tailored Impact Statement Guidelines require the proponent to engage with each Indigenous group potentially impacted by the Project and document each community’s exercise of Aboriginal and Treaty rights protected under section 35 of the <i>Constitution Act, 1982</i>.</p> <p>The proponent is expected to seek the community’s perspectives on the lands, resources and exercise of rights in the areas that could change as a result of the Project. In addition, the Impact Statement must document the potential project-related impacts on the exercise of rights (including due to effects on valued components) and include appropriate mitigation and follow-up program measures. The proponent should turn its min[j] to suitable accommodation measures, such as avoidance of important areas, timing of</p>

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<p>mentioned avoidance and mitigation of impacts on Indigenous peoples.</p>		<p>construction activities, notification or participation in follow-up programs, proposed to address potential impacts on the exercise of rights. The Impact Statement must also document each Indigenous group's views on the effects, impacts and mitigation and follow-up program measures.</p> <p>Postscript: Section 6.2 of the Guidelines requires the proponent to document the Indigenous groups' perspectives and Indigenous knowledge and input were integrated in avoiding, mitigating or accommodating identified effects and impacts.</p>
<p>Commented that in Section 19.1, the Guidelines encourage proponents to include information on:</p> <ul style="list-style-type: none"> · a description of any plans for cultural sensitivity training for non-Indigenous employees to promote a safe work environment that supports the well-being of Indigenous employees; · a description of any plans for cultural competence training for non-Indigenous employees to ensure a respectful professional relationship with Indigenous businesses. <p>In addition, inclusion of plans to address non-Indigenous employees not behaving in culturally sensitive and competent ways should be included. Proactive training is valuable, but Aroland First Nation is also interested in how the proponent will deal with employees who are not promoting a safe work place that support the well-being of Indigenous employees.</p> <p>Recommend the following change: Recommend adding the following criteria to the list for inclusion in the assessment:</p> <ul style="list-style-type: none"> · a description of any plans to address and deal with 	<p>Comment #110</p> <p>Commented on the importance of having a fulsome understanding of an Indigenous group's social and economic community context so that social and economic effects of the Project, including their interactions, can be fully contemplated. Highlighted the importance of engagement by the proponent to adequately understand the historical and current context of Indigenous groups. Some groups may already have community-based research that can be shared with the proponent.</p>	<p>Section 6 of the Tailored Impact Statement Guidelines identifies requirements for the proponent's engagement with Indigenous groups.</p> <p>Sections 12 and 19 require the proponent to engage with Indigenous groups in assessing baseline conditions, and the effects of the Project on social, economic and health conditions of Indigenous peoples.</p> <p>Postscript: Section 3.3 of the Guidelines requires that the Impact Statement describe the workplace policies and programs, including codes of conduct, workplace safety programs and cultural training programs. This includes any workplace plans or policies that are designed to influence the employee conduct.</p> <p>Additionally, in Section 19.1 of the Guidelines the proponent is encouraged to include a description of any plans for cultural sensitivity training for non-Indigenous employees to promote a safe work environment that supports the well-being of Indigenous employees in the</p>

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<p>employees that do not promote a safe work environment that supports the well-being of Indigenous employees.</p> <p>Commented that in Section 19.1, this Section provides a list of potential effects to consider, with specific reference to “interferences of the project with the following:</p> <ul style="list-style-type: none"> access to culturally important harvesting areas or resources of importance.” <p>Interference with access is one potential concern, but increased access for non-Indigenous individuals to areas important for the exercise of Aboriginal rights and interests may also be a potential impact of the Project. These types of impacts must also be considered and added to the list.</p> <p>Recommend the following change: Recommend that the potential effects to consider also include the impact increased access may have on Indigenous groups ability to exercise Aboriginal rights and interests.</p>	<p>Comment #107</p> <p>Commented that consultation with Indigenous peoples is required to understand the Project’s potential impacts on the exercise of Aboriginal and Treaty rights, including impacts on traditional territory and way of life.</p> <p>Requested that the assessment consider access and use of land and resources, land claims, the historical context of colonialism and government approved development in the area, and Indigenous language</p>	<p>Impact Statement. Aroland First Nation is encouraged to share workplace recommendations that promotes the well-being of Indigenous employees with the proponent.</p> <p>Section 19 of the Tailored Impact Statement Guidelines require the proponent to engage with each Indigenous group potentially impacted by the Project and document each community’s exercise of Aboriginal and Treaty rights protected under section 35 of the <i>Constitution Act, 1982</i>.</p> <p>The proponent is expected to seek the community’s perspectives on the lands, resources and exercise of rights in the areas that could change as a result of the Project. In addition, the Impact Statement must document the potential project-related impacts on the exercise of rights (including due to effects on valued components) and include appropriate mitigation and follow-up program measures. The proponent should turn its min[d] to suitable accommodation measures, such as avoidance of important areas, timing of construction activities, notification or participation in follow-up programs, proposed to address potential impacts on the exercise of rights. The Impact Statement must also document each Indigenous group’s views on the effects, impacts and mitigation and follow-up program measures.</p> <p>Postscript: The Agency expects that project-related interferences would include increased pressures from greater access to the area and would be considered by the proponent. During the proponent’s collection of baseline information and assessment of impacts, Aroland First Nation is encouraged to share how</p>

Aroland First Nation Comment	Comment Number and Comment Summary from the Summary Table, dated February 24, 2020	Agency Response from the Summary Table, dated February 24, 2020, plus Added Postscript Clarification
<p>Commented that in Section 22, the likelihood of an all-season road from Eabametoong First Nation to the junction at the Anaconda and Painter roads connection to the provincial highway network is high. [Other likely activities or projects include:]</p> <ul style="list-style-type: none"> · Landore Gold Mine project · Greenstone Gold Mine project · mineral exploration and advanced exploration that can take advantage of all-season road connectivity throughout the region. <p>Recommend the following change:</p> <ul style="list-style-type: none"> · Include the potential Eabametoong First Nation all-season road to the junction at the Anaconda and Painter roads connection to the provincial highway network · Include the Landore Gold Mine project · Include the Greenstone Gold Mine project · Include mineral exploration and advanced exploration that can take advantage of all-season road connectivity throughout the region. 	<p>Comment #16</p> <p>Commented that the cumulative effects Section of the Tailored Impact Statement Guidelines needs to be expanded to better capture proposed developments in the Ring of Fire area including mineral development and future infrastructure.</p>	<p>increased access may impact the group's exercise of Aboriginal and Treaty rights.</p> <p>Section 22 of the Tailored Impact Statement Guidelines require the proponent to carry out a cumulative effects assessment. Past, present and reasonably foreseeable projects, such as additional roads and mining related activities, need to be included in the assessment. The Agency has made edits to Section 22 to be more explicit in the expectations of what should be included in the cumulative effects assessment.</p> <p>On February 10, 2020, the Minister determined that a regional assessment of the Ring of Fire area will be conducted pursuant to the <i>Impact Assessment Act</i>.</p> <p>Postscript: The wording used in Section 22 of the Guidelines allows for consideration of any new activities or projects of these types that become reasonably foreseeable during the preparation of the Impact Statement.</p>