



FINAL

# Cultural Heritage Study Plan

*May 2021*





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Cultural Heritage Study Plan*

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## Revision History

Rev #	Date	Revision Description
Draft	May 2020	Submitted <i>Study Plan – Cultural Heritage DRAFT FOR DISCUSSION</i> to the Agency.
Final	May 2021	Revised to address federal and provincial agency comments.



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## Acronyms

AA ..... Archaeological Assessment	MECP..... Ontario Ministry of the Environment, Conservation and Parks
Agency ..... the Impact Assessment Agency of Canada	MFFN..... Marten Falls First Nation
CAR..... Community Access Road	MHSTCI ..... Ministry of Heritage, Sport, Tourism and Culture Industries
CHR ..... Cultural Heritage Report	<i>OHA</i> ..... <i>Ontario Heritage Act</i>
EA ..... Environmental Assessment	PDA..... Project Development Area
IA..... Impact Assessment	RSA..... Regional Study Area
<i>IAA</i> ..... <i>Impact Assessment Act</i>	TISG..... Tailored Impact Statement Guidelines
IS..... Impact Statement	ToR..... Terms of Reference
km ..... kilometre	VC..... Valued Component
LSA ..... Local Study Area	





# 1. Introduction

The Proponent of the Community Access Road (CAR or the Project) is Marten Falls First Nation (MFFN), a remote First Nation community in northern Ontario located at the junction of the Albany and Ogoki rivers, approximately 430 kilometres (km) from Thunder Bay, Ontario. The MFFN community is proposing an all-season Community Access Road that will connect the MFFN community to Ontario's provincial highway network (Highway 643) to the south via the existing Painter Lake Road. MFFN, as the Proponent of the Project, has formed a MFFN CAR Project Team that includes MFFN CAR Community Member Advisors and MFFN CAR Project Consultants who act with input, guidance and direction from the MFFN Chief and Council.

This document outlines the Study Plan for Cultural Heritage to support a coordinated Impact Assessment (IA) required for Project review by the Impact Assessment Agency of Canada (the Agency) under the federal *Impact Assessment Act (IAA)* and Environmental Assessment (EA) required for Project review by the Ontario Ministry of the Environment, Conservation and Parks (MECP) under the Ontario *Environmental Assessment Act* (Ontario Government, 1990a).

## 1.1 Federal and Provincial Terminology

The study plans have been prepared using federal terminology, however, the respective provincial terminology has been provided in **Table 1-1** for reference. The terms can be used interchangeably.

**Table 1-1: Equivalent Federal and Provincial Terms**

Provincial Term	Federal Term
Criteria	Valued Component
Impact Management Measure	Mitigation Measure
Net Effects	Residual Effects
Record of Consultation	Record of Engagement







## 1.2 Project Study Plans

This Study Plan is one of a group of study plans created for the Project. **Table 1-2** includes the study plans for each environmental<sup>1</sup> discipline currently planned for the Project and the valued components (VCs) covered by the study plans where applicable.

**Table 1-2: Project Study Plans and Valued Components**

Environmental Discipline	Study Plan Name	Valued Component(s)
<b>Aboriginal and Treaty Rights and Interests</b>	<ul style="list-style-type: none"> <li>Aboriginal and Treaty Rights and Interests Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Indigenous Current Use of Lands and Resources for Traditional Purposes</li> <li>Cultural Continuity (ability to practice and transmit cultural traditions)</li> </ul>
<b>Atmospheric Environment</b>	<ul style="list-style-type: none"> <li>Atmospheric Environment Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Air Quality</li> <li>Greenhouse Gas Emissions</li> </ul>
<b>Climate Change</b>	<ul style="list-style-type: none"> <li>Climate Adaptation and Resiliency Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Climate Change</li> </ul>
<b>Acoustic and Vibration Environment</b>	<ul style="list-style-type: none"> <li>Acoustic and Vibration Environment Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Noise</li> <li>Vibration</li> </ul>
<b>Physiography, Geology, Terrain and Soils</b>	<ul style="list-style-type: none"> <li>Physiography, Terrain and Soils Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Physiography, Terrain and Soils</li> </ul>
<b>Surface Water</b>	<ul style="list-style-type: none"> <li>Surface Water Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Surface Water</li> </ul>
<b>Groundwater and Geochemistry</b>	<ul style="list-style-type: none"> <li>Groundwater and Geochemistry Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Groundwater</li> </ul>
<b>Vegetation</b>	<ul style="list-style-type: none"> <li>Vegetation Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Wetland and Riparian Ecosystems</li> <li>Upland Ecosystems</li> <li>Designated Areas (Areas of Natural and Scientific Interest, Environmentally Significant Areas, Significant Woodlands, Critical Landform / Vegetation Associations)</li> <li>Traditional Use Plants and SAR Plant Populations (including species with special conservation status or rarity in the province)</li> </ul>
	<ul style="list-style-type: none"> <li>Peatlands Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Peatland Ecosystems (bogs and fens)</li> </ul>
<b>Wildlife</b>	<ul style="list-style-type: none"> <li>Wildlife Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>Bats (including SAR-bats such as: Little Brown Myotis [<i>Myotis lucifugus</i>], Northern Myotis [<i>Myotis septentrionalis</i>] and Tricolored Bat [<i>Perimyotis subflavus</i>])</li> </ul>

1. The use of the term environment in this document is inclusive of the components of the environment that are included in the Ontario Environmental Assessment Act definition, which includes a general description of the social, cultural, built and natural environments.





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Cultural Heritage Study Plan*

Environmental Discipline	Study Plan Name	Valued Component(s)
		<ul style="list-style-type: none"> <li>■ Fur Bearers (proxy VC<sup>2</sup> American Marten [<i>Martes americana</i>], Beaver [<i>Castor canadensis</i>] and Wolverine [<i>Gulo gulo</i>])</li> <li>■ Amphibians and Reptiles</li> <li>■ Pollinating Insects</li> </ul>
	<ul style="list-style-type: none"> <li>■ Ungulates (Moose and Caribou) Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Moose (<i>Alces alces</i>)</li> <li>■ Caribou, boreal population (<i>Rangifer tarandus</i>)</li> </ul>
	<ul style="list-style-type: none"> <li>■ Bird Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Forest Birds (proxy VC of Red-eyed vireo [<i>Vireo olivaceus</i>] for deciduous forest, Ovenbird [<i>Seiurus aurocapilla</i>] for mixedwood forest, Dark-eyed Junco [<i>Junco hyemalis</i>] for coniferous forest and disturbed forest as well as SAR-birds such as: Canada Warbler [<i>Cardellina canadensis</i>], Chimney Swift [<i>Chaetura pelagica</i>], Common Nighthawk [<i>Chordeiles minor</i>], Eastern Whip-poor-will [<i>Antrastomus vociferous</i>], Eastern Wood Pewee [<i>Contopus virens</i>], Evening Grosbeak [<i>Coccothraustes vespertinus</i>] and Olive-sided Flycatcher [<i>Contopus cooperi</i>])</li> <li>■ Raptors (proxy VC of Osprey [<i>Pandion haliaetus</i>] for diurnal raptors and Boreal Owl [<i>Aegolius funereus</i>] for nocturnal raptors as well as SAR-birds such as: Bald Eagle [<i>Haliaeetus leucocephalus</i>], Peregrine Falcon [<i>Falco peregrinus</i>] and Short-eared Owl [<i>Asio flammeus</i>])</li> <li>■ Shorebirds (proxy VC of Wilson's Snipe [<i>Gallinago delicata</i>])</li> <li>■ Waterfowl (proxy VC of Mallard [<i>Anas platyrhynchos</i>])</li> <li>■ Bog / Fen Birds and Other Wetland Birds (proxy VC of Palm Warbler [<i>Setophaga palmarum</i>] for bogs, Common Yellowthroat [<i>Geothlypis trichas</i>] for fens; and Northern Waterthrush [<i>Parkesia noveboracensis</i>] for swamps as well as SAR-birds such as: Black Tern [<i>Chidonias niger</i>], Rusty Blackbird [<i>Euphagus carolinus</i>] and Yellow Rail [<i>Coturnicops noveboracensis</i>]).</li> </ul>
Fish and Fish Habitat	<ul style="list-style-type: none"> <li>■ Fish and Fish Habitat Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Lake Sturgeon (<i>Acipenser fulvescens</i>)</li> <li>■ Walleye (<i>Sander vitreus</i>)</li> <li>■ Brook Trout (<i>Salvelinus fontinalis</i>)</li> <li>■ Northern Pike (<i>Esox lucius</i>)</li> <li>■ Lake Whitefish (<i>Coregonus clupeaformis</i>)</li> <li>■ Chain Pickerel (<i>Esox niger</i>)</li> <li>■ Yellow Perch (<i>Perca flavescens</i>)</li> <li>■ Cisco (<i>Coregonus artedii</i>)</li> <li>■ Burbot (<i>Lota lota</i>)</li> </ul>

<sup>2</sup> A proxy VC is used when looking at the effects of one species that represents many others.





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Cultural Heritage Study Plan*

Environmental Discipline	Study Plan Name	Valued Component(s)
		<ul style="list-style-type: none"> <li>■ Longnose Sucker (<i>Catostomus catostomus</i>)</li> <li>■ White Sucker (<i>Catostomus commersonii</i>)</li> <li>■ Forage / Prey Species (including species such as Lake Chub [<i>Couesius plumbeus</i>])</li> <li>■ Lower Trophic Organisms (e.g., benthic invertebrates)</li> </ul>
<b>Social</b>	<ul style="list-style-type: none"> <li>■ Social Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Housing and Accommodation</li> <li>■ Community Service and Infrastructure</li> <li>■ Transportation</li> <li>■ Community Well-being</li> <li>■ Populations and Demographics</li> </ul>
<b>Economy</b>	<ul style="list-style-type: none"> <li>■ Economic Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Regional Economy</li> <li>■ Labour Force and Employment</li> <li>■ Government Finances</li> </ul>
<b>Land and Resource Use</b>	<ul style="list-style-type: none"> <li>■ Land and Resource Use Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Land Use Compatibility</li> <li>■ Parks and Protected Areas</li> <li>■ Extractive Industry</li> <li>■ Forestry Industry</li> <li>■ Energy and Linear Infrastructure</li> <li>■ Recreation and Tourism</li> </ul>
<b>Human Health and Community Safety</b>	<ul style="list-style-type: none"> <li>■ Human Health and Community Safety Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Public Safety</li> <li>■ Public Health</li> <li>■ Diet</li> <li>■ Environmental Factors Influencing Health</li> </ul>
<b>Visual Aesthetics</b>	<ul style="list-style-type: none"> <li>■ Visual Aesthetics Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Visual Contrast / Character</li> <li>■ Visibility</li> <li>■ Visual Sensitivity</li> </ul>
<b>Archaeological and Cultural Heritage</b>	<ul style="list-style-type: none"> <li>■ Cultural Heritage Study Plan</li> </ul>	<ul style="list-style-type: none"> <li>■ Archaeological Sites and Resources</li> <li>■ Built Heritage Resources and Cultural Heritage Landscapes</li> </ul>

It should be noted that while there is not a consultation study plan, the Project has developed the *Consultation and Engagement Plan to Support the Environmental Assessment / Impact Statement (AECOM 2020)* (referred to as the Impact Statement [IS] / EA Consultation Plan).





## 2. Purpose and Objectives

The key objectives of conducting an IA / EA are to describe the existing environment, gather sufficient information to predict Project-related effects (positive and negative, direct and indirect) of the Project and alternatives on the environment, determine measures needed to avoid or minimize adverse Project effects and enhance beneficial Project effects where feasible, and to undertake consultation and engagement throughout. The purpose of this Study Plan is to explain:

- A baseline<sup>3</sup> study methodology that will result in a comprehensive description of the existing environment potentially impacted by the Project;
- How efficient and transparent data management and analysis will be undertaken;
- Effects assessment scoping inputs specific to Cultural Heritage that will allow for potential effects of the Project on the existing environment to be appropriately assessed in the IS / EA Report; and
- How the Study Plan aligns with federal and provincial requirements and guidance, including the Agency's Tailored Impact Statement Guidelines (TISG), dated February 24, 2020 (the Agency 2020b), for this Project and applicable provincial agency comments on the Draft Terms of Reference (ToR)<sup>4</sup>.

As required by the IAA and referenced in TISG Section 7.3, work plans will also be developed for disciplines as required. It is anticipated the work plans will include further details on how to action the study plans; for example they would contain such information as location of sampling sites, scheduling, and sequencing.

For the purposes of establishing appropriate context, the Study Plan begins with background and relevant information on:

- Study plan related discussions with the Agency, the MECP and applicable agencies to date (**Section 3**);
- The approach to Project consultation and engagement (**Section 4**);
- How Indigenous Knowledge will be collected and used in the IA / EA (**Section 5**); and
- The spatial and temporal boundaries that will be used for the IA / EA (**Section 6**).

3. *Baseline refers to the current conditions of the environment potentially impacted by the Project. Baseline conditions serve as a reference against which changes due the Project are measured.*

4. *If necessary, the Study Plan will be updated to reflect the approved ToR if approval is obtained.*





## 2.1 Approach to Handling Confidential Information

### 2.1.1 Indigenous Knowledge

Permission from the Indigenous community will be sought before including Indigenous Knowledge in the IS / EA Report, regardless of the source of the Indigenous Knowledge. Sensitive and / or confidential information will be specifically collected through the Indigenous Knowledge Program to inform the IS / EA Report, and its use and publication will be governed by Indigenous community-specific Indigenous Knowledge Sharing Agreements. Sensitive and / or confidential information collected through Indigenous Knowledge Sharing Agreements will be protected from public or third-party disclosure and will be established between the Proponent and Indigenous communities participating in the Indigenous Knowledge Program prior to the sharing and use of any sensitive information. Instances where Indigenous Knowledge sharing has taken place during consultation activities (e.g., meetings) will be recorded in the Record of Consultation and Engagement, including where Indigenous Knowledge was incorporated into Project decisions and into the IS / EA Report (i.e., specifics will not be included in the Record of Consultation and Engagement given the potential sensitivity and / or confidentiality of the information shared).





### 3. Study Plan Technical Discussions

To facilitate the development of satisfactory study plans and eventually a satisfactory IS / EA Report, MFFN previously submitted draft study plans in an effort to hold technical discussions with the Agency, the MECP and applicable agencies. A summary of technical discussions and correspondence held to date on this Study Plan has been provided below in **Table 3-1**.

**Table 3-1: Summary of Study Plan Technical Discussions**

Attendees / Responsible Party	Correspondence	Discussion Point	Solution
<ul style="list-style-type: none"> <li>■ Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI)</li> <li>■ MECP</li> <li>■ MFFN CAR Project Team</li> </ul>	<ul style="list-style-type: none"> <li>■ Technical Discussion regarding the approach to studying Cultural Heritage for the Project</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>07-May-2020:</b> The MHSTCI commented on the Draft ToR – recommending a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment (CHR) be undertaken for the Project. Given the remote nature of the Project, the MFFN CAR Project Team suggested completing a cultural heritage checklist for the IS / EA Report considering the absence of structures in the study area, and also do a landscape study based on Indigenous Knowledge studies, archaeological investigation and other existing sources of information. The MHSTCI suggested an adjusted approach consisting of a landscape study (including the checklist), as well as the description of the built environment as one document. There should also be a two (2) part / phase system where:               <ul style="list-style-type: none"> <li>– Part 1 – Describes the existing conditions and identifies any Cultural Heritage Landscapes and other landscapes present;</li> <li>– Part 2 – During the IA / EA, assess the effects of the Project on cultural heritage and recommend mitigation measures where applicable.</li> </ul> </li> <li>■ The MFFN CAR Project Team confirms the requested format with the MHSTCI.</li> </ul>	<ul style="list-style-type: none"> <li>■ The MFFN CAR Project Team agreed to provide the MHSTCI with a CHR.</li> </ul>





## 4. IS / EA Report Consultation and Engagement Process

### 4.1 Interested Persons and Government Agencies

The Proponent will provide Project notices and advise of opportunities for consultation and engagement with interested persons<sup>5</sup> which includes, at a minimum, members of the public outlined in the *Public Participation Plan for the Marten Falls Community Access Road Project Impact Assessment* (the Agency 2020) (referred to as the Public Participation Plan). This will include the opportunity to provide input on the existing environment, VCs, effects assessment methods, effects assessment results, and mitigation and follow-up program measures as applicable. A variety of activities will be offered so that members of the public are informed of the IS / EA Report as it progresses and are aware of the opportunities and means to provide their input. The study plans have recognized public and agency input received on the Project to date. Government agencies and interested persons will have the opportunity to comment on components of the study plans throughout the IS / EA Report consultation and engagement process. The Project's approach to handling confidential and sensitive information is outlined in **Section 2.1**.

### 4.2 Indigenous Communities

The Proponent will provide Project notices and opportunities for consultation and engagement with Indigenous communities identified in **Table 4-1**, which is inclusive of all Indigenous communities identified in the *Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment* (the Agency 2020a) (referred to as the Indigenous Engagement and Partnership Plan).

Indigenous communities will be provided the opportunity to be involved at critical decision-making points throughout the IS / EA Report so that the Proponent can consider and incorporate, where appropriate Indigenous Knowledge and Indigenous land and resource use information into the Project as it pertains to the existing environment, VCs, effects assessment methods, effects assessment results, and mitigation and follow-up program measures. A variety of activities will be offered so that Indigenous communities are informed of the IS / EA Report as it progresses and are aware of the opportunities, means and timelines to

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5. Interested persons, as defined in the IS / EA Consultation Plan (AECOM 2020), are individuals and groups (e.g., associations, non-governmental organizations, industry and academia) who could have an interest in the Project, including but not limited to communities in the region, those with commercial interests (e.g., forestry, trappers, outfitters, other mineral tenure holders in the area) and recreational users or those with recreational interest (e.g., campers, hunters and environmental groups).





provide their input. The study plans have recognized Indigenous community input received on the Project to date. Indigenous communities will have the opportunity to comment on components of the study plans throughout the IS / EA Report consultation and engagement process.

**Table 4-1: Identified Neighbouring Indigenous Communities, including their Provincial Territorial Organizations and / or Tribal Council Affiliations**

Tribal Council Affiliation	Indigenous Community or Organization
<b>Matawa First Nations Management</b> <i>(Nishnawbe Aski Nation)</i>	<ul style="list-style-type: none"> <li>■ <b>Marten Falls First Nation</b> (Proponent and potentially affected Indigenous community)</li> <li>■ Aroland First Nation</li> <li>■ Constance Lake First Nation</li> <li>■ Eabametoong First Nation</li> <li>■ Ginoogaming First Nation</li> <li>■ Neskantaga First Nation</li> <li>■ Nibinamik First Nation</li> <li>■ Webequie First Nation</li> </ul>
<b>Matawa First Nation Management and the Union of Ontario Indians / Nishnawbe Aski Nation</b>	<ul style="list-style-type: none"> <li>■ Long Lake #58 First Nation**</li> </ul>
<b>Mushkegowuk Council</b> <i>(Nishnawbe Aski Nation)</i>	<ul style="list-style-type: none"> <li>■ Attawapiskat First Nation</li> <li>■ Fort Albany First Nation</li> <li>■ Kashechewan First Nation</li> </ul>
<b>Shibogama First Nations Council</b> <i>(Nishnawbe Aski Nation)</i>	<ul style="list-style-type: none"> <li>■ Kasabonika Lake First Nation</li> <li>■ Kingfisher Lake First Nation</li> <li>■ Wapekeka First Nation</li> <li>■ Wawakapewin First Nation</li> <li>■ Wunnumin Lake First Nation</li> </ul>
<b>Independent First Nations Alliance</b> <i>(Nishnawbe Aski Nation)</i>	<ul style="list-style-type: none"> <li>■ Kitchenuhmaykoosib Inninuwug First Nation</li> </ul>
<b>Independent First Nations</b> <i>(Nishnawbe Aski Nation)</i>	<ul style="list-style-type: none"> <li>■ Mishkeegogamang First Nation</li> <li>■ Weenusk First Nation</li> </ul>
<b>Nokiiwin Tribal Council</b>	<ul style="list-style-type: none"> <li>■ Animiigoo Zaagi'igan Anishinaabek First Nation*</li> </ul>
<b>Métis Nation of Ontario</b>	<ul style="list-style-type: none"> <li>■ Métis Nation of Ontario; Region 2*</li> </ul>
<b>Independent Métis Nation</b>	<ul style="list-style-type: none"> <li>■ Red Sky Independent Métis Nation*</li> </ul>

Notes: \* Indigenous communities or organizations identified by MECP who should be consulted on the basis that they may be interested in the Community Access Road.

\*\*The MECP indicated in a letter to MFFN that Long Lake #58 First Nation was moved from interest-based to rights-based.







## 4.3 Consideration of Identity and Gender-Based Analysis Plus in Engagement

To fulfill requirements of the IAA, the Consultation and Engagement Program will consider a diverse range of perspectives from interested persons and interested Indigenous communities and their members identified in the Agency's Indigenous Engagement and Partnership Plan and the Public Participation Plan. This will include at a minimum providing ongoing opportunities for engagement to:

- **Neighbouring Indigenous communities, including relevant subpopulations:**
  - Women;
  - Youth; and
  - Elders.
- **Non-Indigenous communities including:**
  - Women;
  - Youth; and
  - Activity-based subgroups (e.g., recreationalists, snowmobilers, tourism establishment operators).

The Proponent will also consult and engage with other subpopulations identified by communities during consultation and engagement. The information from these activities and any additional identity groups identified by communities through consultation and engagement will be considered by applicable environmental disciplines for the purposes of data collection and considering disproportionate effects.

During consultation and engagement, these aforementioned groups will be consulted and engaged with on targeted input. Specialized knowledge will be gathered through other disciplines such as Social, Economic, Land and Resource Use and Aboriginal and Treaty Rights and Interests. The Socio-economic Data Collection Program is expected to include targeted interviews, focus groups, questionnaires and other niche tools to gather information from diverse populations to resolve gaps in socio-economic secondary data. These diverse populations include the aforementioned identity groups, which are also referenced in the *IS / EA Consultation Plan* (AECOM 2020) and those identified by communities during consultation and engagement. The importance of soliciting inputs and perspectives from diverse subgroups has also been factored into the Indigenous Knowledge Program and associated materials (see **Section 5**).

When feedback is received from interested persons and Indigenous communities, issues, comments and questions will be tracked, which is consistent with the process described in the *IS / EA Consultation Plan*





(AECOM 2020). Specific to Gender-Based Analysis Plus objectives, this will include efforts to engage with diverse populations. It is expected this will include activities specific to subgroups and tabulation of consultation and engagement participation with respect to identity factors. This will provide summary statistics to demonstrate the diversity achieved in consultation and engagement.

## 4.4 Cultural Heritage Consultation

A meeting was held with the MFFN Community Based Land Use Planning (CBLUP) team, and the MFFN CAR Project Team on September 16, 2019 in Thunder Bay, Ontario. The purpose of the meeting was to review the Project mapping and Indigenous Knowledge data provided by MFFN, and to discuss any specific areas the CBLUP team or MFFN would like the archaeologists to specifically examine during the Stage 1 and subsequent Stage 2 work. This information was utilized to inform the Cultural Heritage Study Plan and was also incorporated into the Cultural Heritage Study Plan and the Stage 1 Archaeological Assessment (AA) report and Stage 2 AA field work planning.





## 5. Consideration of Indigenous Knowledge in the IS / EA Report

The following provides a general description of how Indigenous Knowledge will be considered in the IA / EA process. The extent to which Indigenous Knowledge is considered by each specific VC will vary depending on the nature of the VC, the potential for Project effects on the VC and whether Indigenous knowledge that relates to a VC is provided / obtained. As such, not all aspects of the general approach described below may apply to all VCs / study plans.

There are two concurrent and complementary avenues for Indigenous communities and groups to be engaged with and provide input on the Project: the Indigenous Knowledge Program and the Consultation and Engagement Program. Both programs serve to support the collection of Indigenous perspectives, values, and input on the Project, including Aboriginal and Treaty Rights and how they may be impacted by the Project, to be integrated throughout the IA / EA process. However, the Indigenous Knowledge Program specifically aims to solicit and incorporate information that is considered sensitive and may have confidentiality requirements, including Indigenous Knowledge and information on Indigenous land and resource use. Indigenous Knowledge Sharing Agreements will be established between the Proponent and Indigenous communities participating in the Indigenous Knowledge Program prior to the sharing and use of any sensitive information.

All Indigenous communities and groups identified by the MECP and the Agency through the Indigenous Engagement and Partnership Plan have the opportunity to participate in the Indigenous Knowledge Program. The Indigenous Knowledge Program provides interested Indigenous communities an opportunity to: share existing Indigenous Knowledge and information on Indigenous land and resource use and cultural values that may be relevant to the Project, and / or complete Project-specific studies to collect and share Indigenous Knowledge and information on Indigenous land and resource use and cultural values. The Indigenous Knowledge Program includes opportunities for Indigenous communities and groups to meet with the Proponent to discuss the program, ask questions, and share concerns and interests. In support of this, the Proponent has created an Indigenous Knowledge Program Guidance Document (the Guidance Document) that provides:

- An overview of the Indigenous Knowledge Program and information on how Indigenous Knowledge, Indigenous land and resource use, and cultural values and practices can be collected and / or shared;





- Information on how Indigenous Knowledge and information on Indigenous land and resource use and cultural values and practices may be used in the planning and design processes; and
- A suite of guidance materials that were developed based on the information requirements of both the federal and provincial assessment processes, including: question guides to support the collection of information on historical and current community context; Indigenous Knowledge that may be relevant to the various technical disciplines; information on Indigenous land and resource use, cultural values and practices and associated spatial data; and perspective on potential Project-related effects and associated mitigation and / or enhancement measures.

The Guidance Document will also support participating Indigenous communities in providing Project-specific information in a manner that facilitates meaningful incorporation into the IS / EA Report.

The *IS / EA Consultation Plan* (AECOM 2020) outlines the process for obtaining information and feedback about the Project from Indigenous communities (i.e., the Consultation and Engagement Program). All Indigenous communities identified by the MECP and the Agency have the opportunity to participate in the Consultation and Engagement Program through community-specific meetings, Public Information Centres, web conferences, and other formats. All Indigenous communities identified by the MECP and the Agency will be provided information related to the Project and invited to participate at various points throughout the IA / EA process.

There are also opportunities for the MFFN CAR Project Consultant to engage with Indigenous communities to solicit perspectives and information relevant to the Project, including information related to collection of existing information and the development of the IS / EA Report. The Proponent also invites feedback and inputs throughout the Project via the Project website and ongoing communications with the Proponent.

The Indigenous Knowledge and Consultation and Engagement programs are designed to be complementary and provide multiple opportunities for communities to offer feedback and information, including perspectives on Aboriginal and Treaty Rights and interests and how these may be impacted by the proposed Project. Relevant information collected through both the Indigenous Knowledge and Consultation and Engagement programs, including potential effect pathways on Aboriginal and Treaty Rights and interests, will be shared with each of the relevant disciplines throughout the IA / EA to: guide and inform VCs; support characterization of the existing environment; identify the potential effects of the Project on VCs; help identify mitigation measures and potential monitoring programs; and ultimately guide Project planning. The nature of how the Indigenous Knowledge becomes integrated into the IS / EA Report will be dictated by the specific information provided by each Indigenous community and the parameters set out in





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD

*Cultural Heritage Study Plan*

the Indigenous Knowledge Sharing Agreements. A description of how Indigenous Knowledge was considered in the IA / EA and in each of the technical discipline areas will be included in the IS / EA Report.

It is also important to note that information collected through the various activities (e.g., field studies and programs, effects assessments) of each discipline area (e.g., wildlife, vegetation, cultural heritage) will be shared with the Indigenous Knowledge Program leads. This will support the establishment of the existing environment and the effects assessment for the Aboriginal and Treaty Rights and Interests environmental discipline, as well as the identification of potential mitigation measures and monitoring programs, given the interrelated nature of Indigenous peoples and other environmental disciplines.

The Proponent will strive to respectfully collaborate with Indigenous communities on how Indigenous Knowledge and information on Indigenous land and resource use and cultural values will become part of the IS / EA Report, and how potential effects to Aboriginal and Treaty Rights and interests will be assessed. It is expected that measures to support this may include but are not limited to: engaging Indigenous communities to solicit information on Indigenous Knowledge and Indigenous land and resource use and cultural values to inform baseline conditions, providing Indigenous communities with draft sections of the IS / EA Report to illustrate how Indigenous Knowledge and information on Indigenous land and resource use and cultural values has been integrated and to confirm it has been presented appropriately, and completing collaborative working sessions with Indigenous communities for the effects assessment on Aboriginal and Treaty Rights and Interests. Further information on how potential effects on Indigenous rights will be assessed is provided in the Aboriginal and Treaty Rights and Interests Study Plan.





## 6. Assessment Boundaries

### 6.1 Temporal Boundaries: Project Phases

Project phases, which are temporal boundaries, are developed to establish the timeframes within which potential effects of the Project will be considered in the IS / EA Report. The Project is planned to occur in two phases, which are briefly described below and shown in **Figure 6-1**.

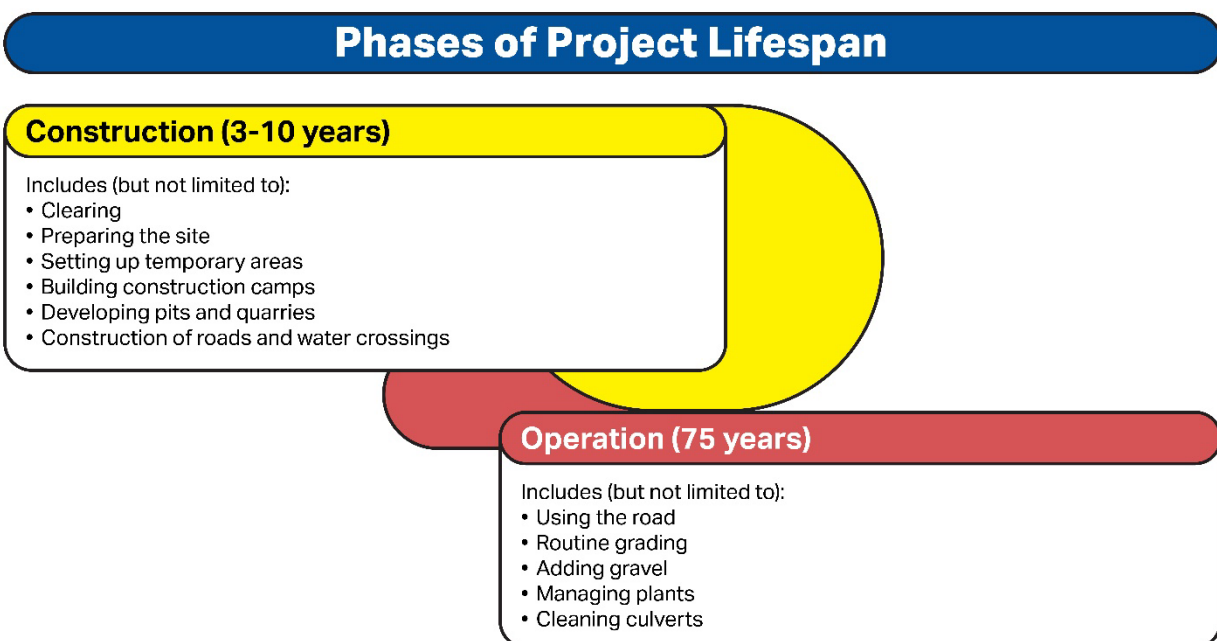
- **Construction Phase:**

The time from start of construction, including site preparation activities, to the start of operations and maintenance of the CAR. Decommissioning of construction works is included in the construction phase. The construction phase is anticipated to take approximately 3 to 10 years to complete.

- **Operations and Maintenance Phase:**

The operations and maintenance phase starts once construction activities are complete and lasts for the life of the Project. The operations and maintenance phase of the Project is considered to be 75 years based on the expected timeline for when major refurbishment of road components (e.g., bridges), is anticipated.

**Figure 6-1: Project Schedule**





There are currently no plans to decommission the CAR as there is no expected / known end date for its need. Therefore, future suspension, decommissioning and eventual abandonment of the CAR will not be considered in the IS / EA Report. It will be considered if and when a decommissioning or abandonment application is made for the road.

In determining the temporal boundaries, in particular the long operations and maintenance phase, consideration was given to the long-term effects on the well-being of present and future generations (Sustainability Principle #2). The final temporal boundaries to be used in the IS / EA Report will be based on regulatory agency guidance, professional judgement and input received through the Project consultation process.

The Cultural Heritage collection of baseline data and effects assessment will be completed prior to any ground disturbing activities related to the construction. As per the *Ontario Heritage Act (OHA)* (Ontario Government 1990) and *MHSTCI Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011), all archaeological activities must be addressed prior to any proposed construction activities. The results of the Archaeological and Built Heritage Assessments will inform route selection.

## 6.2 Spatial Boundaries: Study Areas

### 6.2.1 General Information

Study areas identify the geographic extents within which potential effects of the Project are likely to occur and will be considered in the IS / EA Report. The existing conditions and potential effects are documented for three study areas selected for the Project:

- **Project Development Area (PDA):** area of direct disturbance;
- **Local Study Area (LSA):** the area where most of the direct effects of the Project are likely to occur; and
- **Regional Study Area (RSA):** the area where indirect effects of the Project are likely to occur.

The PDA encompasses the 100 metre-wide CAR right-of-way (ROW), temporary construction access roads, work areas, worker camps, and pits, quarries and associated access roads. The preliminary LSA currently being considered within the scope of the ongoing provincial regulatory review process generally includes the area within 2.5 km of the centreline of Alternative 1 and Alternative 4. The preliminary study area generally allows for the documentation of existing conditions and prediction of potential environmental





effects for the Project. A 5 km wide study area also allows for route refinements during development of Project design (e.g., adjustment of the alignment to avoid sensitive features).

The specific location of Project components, including the roadway, quarries, pits and temporary infrastructure, are not yet known and will be included in the IS / EA Report. While most of the Project components are expected to be located within the preliminary 5 km wide study area, benefits (e.g., reduced environmental disturbance, avoidance of sensitive features, technical considerations, concerns received through consultation) for locating Project components on lands outside of the 5 km wide study area may become known during the IA / EA process. If the need to locate Project components outside the 5 km wide study area is determined to be required or of benefit to the Project, the study area would be adjusted.

The study area for each environmental discipline may vary from the above-described general study area based on the potential for the Project to directly or indirectly affect each environmental discipline; therefore, discipline-specific LSAs and RSAs have been defined for the Project. In defining the final LSAs and RSAs, each environmental discipline will consider:

- Location and other characteristics of the environmental discipline relative to the Project;
- The anticipated extent of the potential Project effects;
- Federal, provincial, regional, and local government administrative boundaries;
- Indigenous groups listed in **Table 4-1**;
- Community knowledge and Indigenous Knowledge;
- Current or traditional land and resource use by Indigenous communities;
- Exercise of Aboriginal and Treaty Rights of Indigenous peoples, including cultural and spiritual practices; and
- Physical, ecological, technical, social, health, economic and cultural considerations.

The study areas included in this document are preliminary, covering the extent to which readily available information suggests the Project may have noticeable effects on the environment. The size, nature and location of past, present and reasonably foreseeable projects will be taken into consideration in the development of the cumulative effects assessment study area(s). The appropriate study area(s) to assess cumulative effects are dependent on the VCs predicted to have direct residual adverse effects as a result of the Project, and therefore, cannot be defined until the IS / EA Report has sufficiently advanced.

As further detailed in **Section 4**, the Proponent will continue to provide opportunities for neighbouring Indigenous communities and interested persons to provide input and inform the effects assessment, including the LSAs and RSAs.







## 6.2.2 Cultural Heritage Study Areas

The LSA and RSA boundaries for Cultural Heritage are detailed in **Table 6-1** and shown on **Figure 6-2**.

**Table 6-1: Cultural Heritage Study Areas**

Study Area	Geographic Extent	Rationale
<b>Local Study Area</b>	<ul style="list-style-type: none"> <li>Total 5 km wide area around the centreline of Alternative 1 and Alternative 4</li> </ul>	<ul style="list-style-type: none"> <li>To capture any temporary land use and / or access areas</li> </ul>
<b>Regional Study Area</b>	<ul style="list-style-type: none"> <li>LSA + 1 km buffer</li> </ul>	<ul style="list-style-type: none"> <li>Ontario Archaeological Sites Database 1 km buffer for identifying archaeological potential</li> </ul>

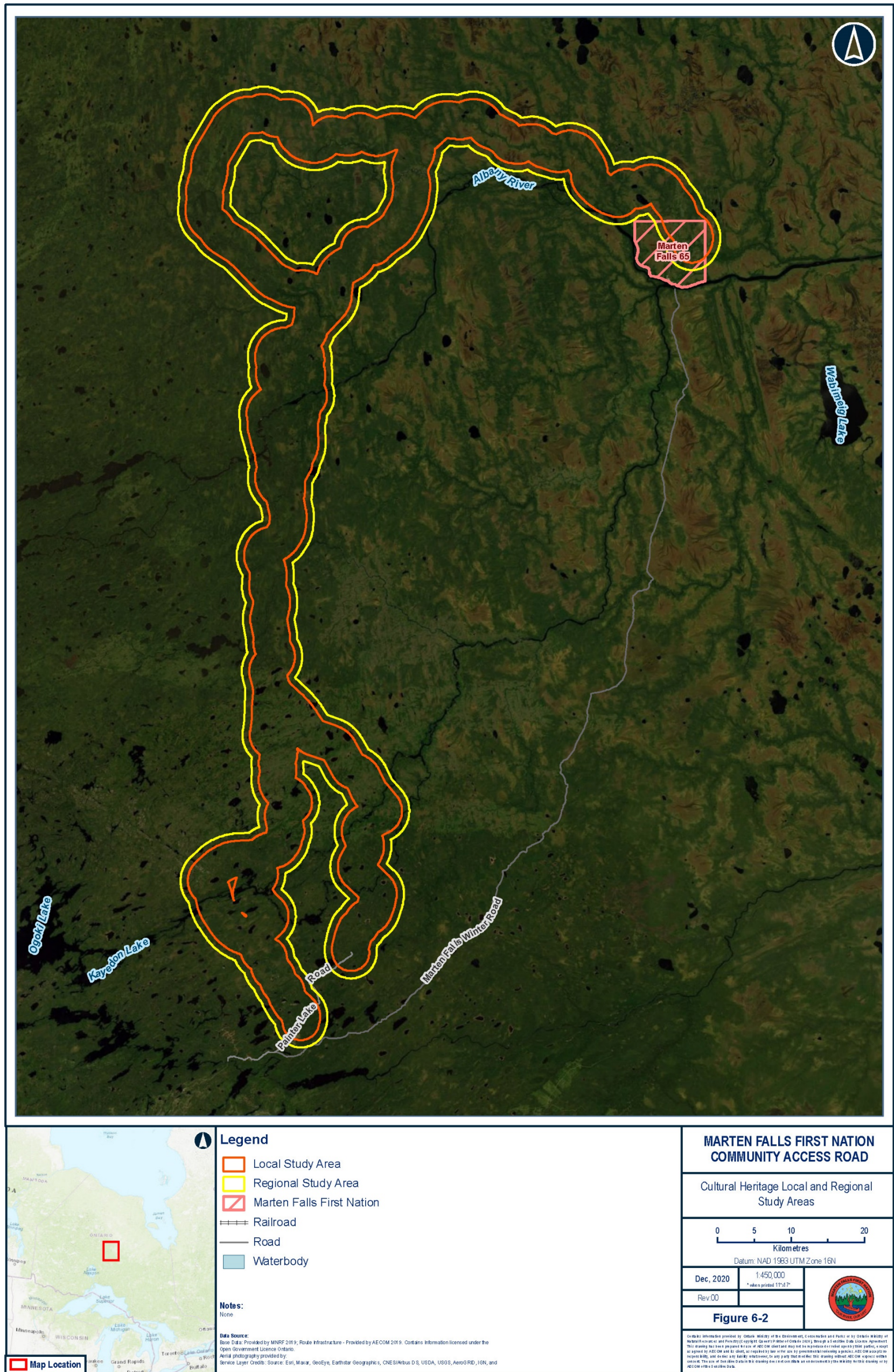
The Stage 1 AA assessed land where planned Project impacts are proposed (PSA) plus a buffer of land within 2.5 km of the centreline of Alternative 1 and Alternative 4, for a total of a 5 km wide study area (LSA). The entire LSA was assessed within the Stage 1 AA in order to capture any land that may be required for temporary land uses or access areas that may be required during construction as per the *Ontario Heritage Act* (Ontario Government 1990) and the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). During the production of the Stage 1 AA report, a buffer was applied to the LSA in order to conduct a search of the Ontario Archaeological Sites Database for a listing of registered archaeological sites within the RSA as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011).

Should additional land outside of the current LSA boundaries be included as part of the Project, the standard requirements for archaeological assessments to be conducted prior to land disturbance will remain in place.

Both the Stage 1 AA and the Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment (CHR) study areas will encompass the land within the LSA. A CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential effects to the cultural heritage resources, and propose appropriate impact management measures. A description of the Stage 1 & 2 AA Process and the CHR is provided in **Section 7**.



Figure 6-2: Cultural Heritage Local and Regional Study Areas





## 7. Baseline Study Design

### 7.1 Desktop Assessment

A desktop review of existing information sources was completed to identify information gaps that will need to be addressed through further study. A preliminary list of applicable information sources has been included in **Appendix A** and reflects federal and provincial guidance received to date. This Study Plan focuses on the additional studies that are anticipated to be required to gather information beyond what is currently available through existing information sources, including those as described in **Section 7.2** 'Sources of baseline information' in the Agency's TISG for this Project (the Agency 2020b).

### 7.2 Archaeology Study Methods

#### 7.2.1 Stage 1

Prior to approving land development projects regulated by legislation, the approval authority for the Project requires an archaeological assessment of all lands that are part of the Project. Assessments are required when the land is known to have an archaeological site present or has the potential to have archaeological resources. There are four stages of archaeological assessments in Ontario, regulated by the MHSTCI. A Stage 1 AA consists of a background study and optional property inspection, where a consultant archaeologist determines whether there is potential for archaeological sites in the proposed area of impact. The licensed archaeologist will review geographic, land use and historical information for the property and the relevant surrounding area, visits the property to inspect its current condition and contacts this MHSTCI to find out whether or not there are any known archaeological sites on or near the property. A Stage 2 AA is recommended when the consultant archaeologist identifies areas of archaeological potential during the Stage 1 AA as outlined in the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). Upon completion of any archaeological assessment in Ontario, the licensed archaeologist must develop and provide an archaeological report to the MHSTCI for review and acceptance into the Provincial Register of Archaeological Reports (Ontario Government 2011). For further information, readers should consult the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011).

The objective of the Stage 1 AA was to document the archaeological and land use history, and present conditions within the study area. This information will be used to support recommendations regarding cultural heritage values or interests as well as assessment and impact management strategies. The Stage 1





AA was completed by a licensed archaeologist and has identified known archaeological sites, areas subject to previous assessments and has evaluated the potential for archaeological resources to be present on undisturbed land according to provincial criteria (Ontario Government 2011). The Stage 1 AA involved:

- Review of recent maps (i.e., satellite imagery, LiDAR) of the study area;
- Review of reports of previous AAs in the RSA;
- Review of the MHSTCI Ontario Archaeological Sites Database for a listing of registered archaeological sites within a 1 km radius of the LSA;
- A visual inspection of the existing conditions of the LSA and surroundings;
- Archaeological management plans or other archaeological potential mapping, where available; and
- Incorporation of Indigenous Knowledge provided as part of the consultation process of the Project.

Archaeological potential is established by determining the likelihood that archaeological resources may be present on a subject property. Criteria commonly used by the MHSTCI to determine areas of archaeological potential are listed in Section 1.3.1 of the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011), and include:

- Proximity to previously identified archaeological sites;
- Distance to various types of water sources;
- Soil texture and drainage;
- Glacial geomorphology, elevated topography and the general topographic variability of the area;
- Resource areas including food or medicinal plants, scarce raw materials and early Euro-Canadian industry;
- Areas of early Euro-Canadian settlement and early transportation routes;
- Properties listed on municipal register of properties designated under the *OHA* (Ontario Government 1990);
- Properties that local histories or informants have identified with possible archaeological sites, historical events, activities or occupants; and
- Historic landmarks or sites.

Distance to modern or ancient water sources is generally accepted as the most important element for past human occupations and settlement patterns, and when considered alone may result in a determination of archaeological potential. In addition, any combination of two or more of the listed criteria indicates





archaeological potential. Stream ordering can be used as a tool for predicting archaeological potential, as the importance of a watercourse decreases with their relative size and navigability.

In addition to the above listed criteria defined by the MHSTCI, consultation with local First Nations groups is crucial to the background data collection. Since Indigenous groups identify culturally important and sensitive areas and sites without material culture (artifacts) and features (such as ceremonial and sacred sites) associated with them, this information is relevant to our conclusions. MFFN provided the MFFN CAR Project Team with Indigenous Knowledge data for the study area, which includes information on trapping and harvest areas (plant, fish and other wildlife), camp and campsites, spiritual / sacred places, travel routes, historical sites and historical villages, burials, and other important areas of interest. It is important to include the Indigenous Knowledge data in the archaeological potential mapping as they identify areas which often differ from those identified with MHSTCI criteria, as noted above. The gathering of Indigenous Knowledge information from MFFN and other interested neighbouring First Nation communities is ongoing (further details of that program can be found in Aboriginal and Treaty Rights and Interests Study Plan. The Stage 1 AA has been conducted to meet the requirements of the MHSTCI *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). The nature of how Indigenous Knowledge shared becomes integrated into the IS / EA Report will be dictated by the specific information provided by each Indigenous community and the parameters set out in the respective Indigenous Knowledge Sharing Agreements. Any data collected via consultation or shared to inform the Stage 1AA is considered sensitive information and is not included in any public documentation. This information is shared with the MHSTCI in a Supplementary Documentation Report as a separate report not released for public consumption.

It is also important to note that information collected through the various activities (e.g., field studies and programs, effects assessments) of each discipline area (e.g., wildlife, vegetation, cultural heritage) will also be shared with the Indigenous Knowledge Program leads. This will support the establishment of baseline conditions and the effects assessment for the Aboriginal and Treaty Rights and Interests VC, as well as the identification of potential impact management measures and monitoring programs, given the interrelated nature of Indigenous peoples and the various VCs. Mechanisms to support this iterative and continuous information process among MFFN CAR Project Team members include regular cross-disciplinary team meetings throughout the IA / EA processes.

### **Stage 1 Baseline Field work Completed to Date**

The MFFN CAR Project Team completed portions of the field program in the fall of 2019 from September 24 to October 4, 2019. During this time, a number of field tasks were accomplished including a Stage 1 field review / visual inspection of the LSA, consultation and engagement with Aroland First Nation, and initial contact and introductions with Marten Falls First Nation Elders.





The MFFN CAR Project Team completed the Stage 1 field review in order to narrow down areas of archaeological potential that had been identified during the background research. This was accomplished by utilizing the helicopter to fly over the LSA. Photographs were taken out of the helicopter windows to illustrate some of the existing conditions of the general Project area. This was incorporated into the Stage 1 report results. The Stage 1 AA report has been written and will be submitted to the Ontario MHSTCI for review and acceptance into the register of archaeological reports. This document will provide the results of the background study, field review / visual inspection and evaluation of archaeological potential. The report will be concluded with a recommendation on whether a Stage 2 AA is required and what the appropriate Stage 2 assessment strategy should consist of as well as indicating what areas are cleared of archaeological concerns.

## 7.2.2 Stage 2

Once the preferred route has been chosen, a Stage 2 AA will be completed on the PDA. The objective of the Stage 2 AA is to provide an overview of archaeological resources within the PDA, make a determination as to whether any of the resources might be artifacts or archaeological sites with cultural heritage value or interest requiring further assessment, and to recommend appropriate Stage 3 assessment strategies for any archaeological sites identified. The Stage 2 AA is not expected to be provided as a component of this EA process.

The Stage 2 survey will consist of physically inspecting the areas identified as retaining archaeological potential within the PDA as per Section 2.1.5 of the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011) for special survey conditions in northern Ontario and on Canadian Shield terrain. This will be completed by walking within the areas identified as retaining potential, which includes beach survey and test pit survey where possible. In areas that were not found to be wet or steeply sloped, test pit survey will be conducted. Test pit intervals will range to a maximum of 5 m, which will be decided based on professional judgement in each area. Each test pit will be no less than 30 cm in diameter and all soil will be screened through hardware mesh 6 mm in size to facilitate the recovery of cultural material. All test pits are examined for stratigraphy, cultural features or evidence of fill. If cultural material is identified, further archaeological investigation will be recommended based on the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011).

### Stage 2 Baseline Field work Completed to Date

In addition to completing the Stage 1 field fly over, the MFFN CAR Project Team also began the Stage 2 field work in the fall of 2019, operating from September 24 to October 4, 2019. The Stage 2 strategy at this time, given the weather constraints, consisted of concentrating primarily on the alternatives at targeted river crossings based on proposed bridge designs and any specific locations MFFN requested to be examined





and recorded. Based on professional judgement and in consultation with MFFN, it was agreed that the fall 2019 Stage 2 field work would consist of the survey of an area covering 1 km upstream and 1 km downstream from each of the proposed river crossing locations currently under consideration given the large size of the LSA. The MFFN CAR Project Team was only able to physically survey two river crossings in the fall of 2019 – Albany River crossing WA-15 and Ogoki River crossing WA-01 within the timeframe that the weather allowed. The field program was then put on hold for the year, and further Stage 2 archaeological work is required to be completed.

As per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011), the Stage 2 AA was completed by a licensed archaeologist and consisted of physically inspecting the areas identified as retaining archaeological potential within both river crossings. This was completed by walking within the areas identified as retaining potential, which included beach survey and test pit survey where possible. The beach survey of exposed shorelines consisted of the MFFN CAR Project Consultant examining the beach surface for artifacts. In areas that were not found to be wet or steeply sloped, test pit survey was conducted. Test pit intervals ranged from 2.5 m to a maximum of 5 m apart, which were decided based on professional judgement in each area. Each test pit was dug by hand with a shovel and was approximately 30 cm in diameter. All soil was screened through hardware mesh 6 mm in size to facilitate the recovery of cultural material.

## 7.3 Cultural (Built) Heritage Study Methods

A CHR will be completed to describe the existing conditions of the study area, present a built heritage and cultural landscape inventory of material and non-material cultural heritage resources, and propose appropriate impact management measures and recommendations for minimizing and avoiding negative effects on identified cultural heritage resources. This Study Plan is guided by the following documents and legislation: *Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessments* (MHSTCI 1992); the *Ontario Heritage Act* (Ontario Government 1990); and the *Ontario Heritage Tool Kit* (MHSTCI 2006). The CHR will focus on conducting and analyzing background research and field survey results for the purposes of identifying effects of the proposed undertaking on any cultural heritage resources. The following steps will be taken in order to identify built heritage resources and / or cultural heritage landscapes within the study area:

- Background historical research to identify major historical themes and activities within the RSA study area, including a review of historical maps.
- A review to identify properties within the RSA study area that have been designated under Part IV or V of the *OHA* or listed on a District inventory or heritage register.





- Indigenous community engagement including with MFFN, with particular focus on obtaining knowledge regarding the cultural heritage landscape in general and potential material and non-material cultural heritage resources.
- A field review to confirm the location and condition of previously identified material and non-material cultural heritage resources. The field review is also used to identify cultural heritage resources that have not been previously identified on federal, provincial, or municipal databases. The results of survey will be recorded on survey forms including photographs, where appropriate.
- Conduct a preliminary effects assessment in order to propose appropriate impact management measures and recommendations for minimizing and avoiding negative effects on cultural heritage resources, and the identification of further reporting requirements such as Cultural Heritage Evaluation Reports and / or Heritage Impact Assessments, if necessary.

## 7.4 Schedule for Baseline Data Collection

The Stage 1 AA report is currently under development and will incorporate preliminary information from the initial field review in the fall of 2019 to inform existing baseline conditions. The Stage 1 AA report will be written to meet the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011) by employing the methodology outlined in **Section 7.2** of this Study Plan.

Once the preferred route has been chosen, a Stage 2 AA will be completed on the PDA. The objective of the Stage 2 AA is to provide an overview of archaeological resources within the PDA, make a determination as to whether any of the resources might be artifacts or archaeological sites with cultural heritage value or interest requiring further assessment, and to recommend appropriate Stage 3 assessment strategies for any archaeological sites identified. Once the preferred route alternative has been chosen, the Stage 2 AA will be undertaken based on the results of the Stage 1 AA. The field investigations during the fall of 2019 were suspended because of Project timing and weather implications, as archaeological assessments cannot be completed when visibility of the ground surface is impeded by snow cover as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). Additionally, a PDA has yet to be defined. Therefore, further Stage 2 field work will be completed for all areas as retaining archaeological potential within the PDA when conditions allow, which would ideally be completed between the months of May and September. There are no sampling strategies in place as archaeological assessments are conducted to meet the requirements of the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). The work will only be considered complete when all areas identified as retaining archaeological potential have been investigated, reported on, and reviewed and accepted by the MHSTCI.







## 8. Data Management and Analysis

Data management including quality assurance / quality control (QA / QC) will be employed to minimize potential for data entry and analysis errors, prepare data sets for analysis and limit sensitive data distribution in accordance to established agreements.

### 8.1 Archaeology

The results of the Stage 1 AA include extensive archaeological potential mapping developed from the methods outlined in **Section 7.2**.

#### Background Review

The archaeological potential mapping is a culmination of stream order data, the Indigenous Knowledge provided by Indigenous communities, satellite imagery, and visual inspection of the study area. The mapping illustrates where Stage 2 AA is required and where archaeological potential has been removed based on physical landscape features of low archaeological potential (e.g., bog, wetlands), as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). These data are then used as a tool in order to evaluate potential effects relating to the Project.

#### Field Data

Data collected during the Stage 1 AA field work include pictorial records and associated notes and mapping. Any information collected as part of the Stage 1 field work is currently being stored digitally on the AECOM London, Ontario server. The pictorial records will be incorporated in the Stage 1 AA report to illustrate the existing conditions of the LSA and help to reinforce background data collected via satellite, topographic, and vegetation mapping. This will cumulatively inform the determination of archaeological potential within the LSA as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011).

#### Indigenous Knowledge

Any Indigenous Knowledge data collected through consultation with Indigenous groups that has been used to inform the Stage 1 AA is not included directly within any archaeological reports, as per the data sharing agreements in place with Indigenous communities. This is sensitive information that is not made public as part of the archaeological assessment and is provided in a Supplementary Documentation report to the client and the MHSTCI only as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). The information collected will cumulatively inform the determination of archaeological potential within the LSA.





## 8.2 Cultural (Built) Heritage

The CHR will result in the preparation of a cultural resource inventory, including descriptions and photographs. A preliminary analysis of potential effects of the undertaking on identified potential cultural heritage resources will also be conducted, along with the identification of impact management measures based on the Project alternatives. The CHR will be prepared based on the results of the background research, including a review of historical maps, a cultural heritage field review of the existing conditions, and community engagement, including MFFN. The CHR is guided by the following documents and legislation: *Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessments* (MHSTCI 1992); the *Ontario Heritage Act* (Ontario Government 1990); and the *Ontario Heritage Tool Kit* (MHSTCI 2006).

### Background Research

Historical maps and information collected from primary and secondary sources will be examined to determine if the LSA contains any built heritage resources or landscape features. The significance of these features will then be determined through a built heritage and cultural landscape inventory of material and non-material cultural heritage resources and will propose appropriate impact management measures and recommendations for minimizing and avoiding negative effects on identified cultural heritage resources.

### Field Data

Field data collected during the CHR field work include pictorial records and associated notes and mapping. Any information collected as part of the CHR field work will be stored digitally on the AECOM London, Ontario server. The pictorial records will be incorporated in the CHR report to illustrate the existing conditions of the LSA and help to reinforce background data collected via satellite, topographic, and historic mapping. This will cumulatively inform the appropriate impact management measures and recommendations for minimizing and avoiding negative effects on identified cultural heritage resources.

### Indigenous Knowledge

Any Indigenous Knowledge data collected through consultation with Indigenous groups that has been used to inform the CHR is not included directly within any reports, as per agreements in place with the First Nations communities. This is sensitive information that is not made public as part of the CHR. A copy of the sensitive material may only be provided in a Supplementary Documentation-type report to the client and the MHSTCI only.





## 9. Effects Assessment

The following sections provide discipline-specific input and considerations as they pertain to the methodology for effects assessment. The Project is in the early stage of the IS / EA Report preparation and it is expected that the effects assessment methodology will be refined iteratively based on regulatory agency guidance, professional judgment and input received through the Project consultation and engagement process.

### 9.1 Project-Environment Interactions

The Project activities that may result in changes to the environment are described within the identified temporal and spatial boundaries. This includes identification of both direct and indirect changes by comparing the existing setting to the conditions anticipated to occur as a result of the Project. For each environmental discipline, the likely Project-environment interactions will be identified based on professional judgment, activities listed in TISG Section 3.2 (the Agency 2020b) as well as projects of similar magnitude and / or location.

A preliminary analysis of Project-environment interactions for the Cultural Heritage is provided in **Table 9-1** and will be confirmed during the IA / EA process to identify the Project-environment interactions that are likely to have a potential effect, and to identify measures to avoid or minimize potential negative effects and enhance benefits.

The Cultural Heritage assessments for the Project will be completed and approved by the MHSTCI prior to any and all proposed construction and operations activities as per *Ontario Heritage Act* and the MHSTCI' *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). A Stage 1 AA draft report will be submitted to the Ontario MHSTCI for review and acceptance into the register of archaeological reports. The Stage 1 AA will be submitted for MHSTCI review during the environmental assessment process (pre-planning phase) but prior to the EA completion. This information will be used to inform the evaluation of alternatives and any additional studies. This document provides the results of the background study, property inspection and evaluation of archaeological potential. The report is concluded with a recommendation on whether Stage 2 AA is required and what the appropriate Stage 2 assessment strategy should consist of as well as indicating what areas are cleared of archaeological concerns. Should the results of the Stage 1 AA recommend further archaeological assessment(s) within the preferred alternative, or PDA, then any further stages of archaeological assessment will be completed as early as possible during the planning or design phase of the Project, and prior to the completion of detailed design. The Stage 2 AA must be conducted by a licensed archaeologist and will meet the requirements of the *Ontario Heritage Act* and the MHSTCI' *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011).





**Table 9-1: Project – Environment Interactions**

Project Phases	Project Activities	Cultural Heritage
<b>Construction Phase</b>	<i>Mobilization of Equipment and Supplies</i>	X
	<i>Temporary Construction Staging Areas<sup>1</sup></i>	X
	<i>Temporary Access Roads and Trails<sup>1</sup></i>	X
	<i>Temporary Construction Camps<sup>1</sup></i>	X
	<i>ROW Clearing and Grubbing</i>	X
	<i>Brush and Timber Disposal</i>	X
	<i>Pits and Quarries<sup>1</sup></i>	X
	<i>Drilling / Blasting / Aggregate Production</i>	X
	<i>Road Construction (stripping, subgrade excavation, embankment fill placement, grading, ditching)</i>	X
	<i>Bridge and Culvert Installation (approach embankments, foundations, substructures, superstructures, traffic protection, erosion controls)</i>	X
	<i>Construction Site Restoration</i>	X
<b>Construction Phase: Decommissioning</b>	<i>Pits and Quarries</i>	X
	<i>Temporary Camps, Roads / Trails and Staging Areas</i>	X
<b>Operations Phase</b>	<i>Road Usage</i>	
	<i>Maintenance<sup>2</sup></i>	X

Notes: 1. Includes construction and use of  
 2. Includes General Maintenance (e.g., grading, erosion control, quarrying, pits and quarries), Seasonal Maintenance (e.g., snow clearing, bridge and culvert maintenance), and Special Maintenance (e.g., slope failures, road settlement / break-up.).

Should future work as part of maintenance or operations be required outside of the previously assessed and cleared areas, further archaeological work is required.

## 9.2 Valued Components and Indicators

VCs are the environmental, health, social, economic or additional elements or conditions of the natural and human environment that may be impacted by a proposed project and are of concern or value to the public, Indigenous peoples, federal authorities and interested parties (the Agency 2020b). Indicators represent the resource, feature, or issue related to the VC that, if changed, may demonstrate an effect on the environment. The indicators and rationale for selection and measurement of potential effects, to be used to assess and evaluate the alternative routes in the IS / EA Report are provided in **Table 9-2**. The table includes both quantitative and qualitative indicators. The final list of VCs and indicators to be used in the IS / EA Report will be based on regulatory agency guidance, professional judgement and input received through the Project consultation and engagement process.





**Table 9-2: Cultural Heritage Indicators**

Valued Component	Indicators	Rationale for Selection
<b>Archaeology</b>	<ul style="list-style-type: none"> <li>■ Previously identified archaeological sites</li> <li>■ Proximity to water</li> <li>■ Soil texture and drainage</li> <li>■ Glacial geomorphology, elevated topography</li> <li>■ Resource areas including food or medicinal plants, scarce raw materials</li> <li>■ Areas of early 19th century settlement and transportation routes</li> <li>■ Properties that local histories or informants have identified with possible archaeological sites, historical events, activities or occupants</li> </ul>	<ul style="list-style-type: none"> <li>■ Retains high archaeological potential because of:               <ul style="list-style-type: none"> <li>– Burial Sites</li> <li>– Historical Villages</li> <li>– Areas of Cultural Significance (material and non-material)</li> <li>– Culturally Important Landscape Features (e.g., related to traditional hunting / harvesting area, portage routes)</li> <li>– Registered archaeological sites</li> <li>– Areas of importance to local communities</li> <li>– Locations related to Oral histories</li> <li>– Indigenous Knowledge</li> <li>– Recent and historical maps of the study area</li> <li>– Primary and secondary documentary sources (both current and archival written accounts, maps, drawings, plans and images)</li> <li>– Site visits</li> <li>– Community Based Land Use Planning initiatives</li> </ul> </li> </ul>
<b>Cultural Heritage</b>	<ul style="list-style-type: none"> <li>■ Culturally Significant Landscapes</li> </ul>	<ul style="list-style-type: none"> <li>■ Areas of importance to local communities</li> <li>■ Areas of Historical (Regional) Significance (e.g., historic lumber routes)</li> <li>■ Culturally Important Landscape Features (e.g., related to traditional hunting / harvesting area, portage routes)</li> <li>■ Areas of Religious or Spiritual Significance (material and non-material)</li> <li>■ Locations related to Oral histories</li> <li>■ Indigenous Knowledge</li> <li>■ Recent and historical maps of the study area</li> <li>■ Primary and secondary documentary sources (both current and archival written accounts, maps, drawings, plans and images)</li> <li>■ Site visits</li> <li>■ Community Based Land Use Planning initiatives</li> </ul>

The VCs of the Cultural Heritage have been determined through consideration of the following factors listed in the TISG<sup>6</sup>:

- VC presence in the study area;
- the extent to which the VC is linked to the interests or exercise of Aboriginal and Treaty Rights of Indigenous peoples, and whether an Indigenous group has requested the VC;

6. *The TISG also states that information from ongoing and completed regional assessments in the proposed area of the Project should be used to inform VCs for the Project. In February 2020 a regional assessment of the Ring of Fire region commenced; however, it is not sufficiently advanced at this time to inform the Project VCs. The VCs will be consulted and engaged on early in the IA/ EA process and finalized taking into consideration the input received. Therefore, only information relevant to the Project that arises from the regional assessment of the Ring of Fire within an appropriate timeline will inform the VCs for the Project.*





- the extent to which the effects (real or perceived) of the Project and related activities have the potential to interact with the VC;
- the extent to which the VC may be under cumulative stress from other past, existing or future undertakings in combination with other human activities and natural processes;
- the extent to which the VC is linked to federal, provincial, territorial or municipal government priorities (e.g., legislation, programs, policies);
- the possibility that adverse or positive effects on the VC would be of particular concern to Indigenous groups, the public, or federal, provincial, territorial, municipal or Indigenous governments; and
- whether the potential effects of the Project on the VC can be measured and / or monitored or would be better ascertained through the analysis of a proxy VC.

Inputs received to date from Indigenous communities, agencies and interested persons through the Consultation and Engagement Program, including inputs received on the Draft ToR, have also been used to inform the selection of the VCs and indicators for Cultural Heritage.

## 9.3 Potential Effects

A direct effect occurs through the direct interaction of an activity with an environmental discipline. The Project-environment interactions currently anticipated, based upon preliminary analysis, to result in direct effects to Cultural Heritage have been identified in **Table 9-1**. The potential direct effects resulting from the Project-environment interactions will be confirmed during the IA / EA process and will be based on input received through the Indigenous Knowledge Program and Consultation and Engagement Program, regulatory agency guidance, and professional judgement.

An indirect effect occurs when a change to one environmental discipline resulting from a Project activity causes a change to another environmental discipline (e.g., changes in vegetation could indirectly affect wildlife). **Table 9-3** provides a preliminary identification of how changes to Cultural Heritage may result in indirect effects to other environmental disciplines.





**Table 9-3: Potential Discipline Interactions**

Discipline and Associated Valued Components	Aboriginal Treaty Rights and Interests	Atmospheric Environment	Climate Change	Acoustic Environment	Physiology, Geology, Terrain and Soils	Surface Water	Groundwater and Geochemistry	Vegetation	Wildlife	Fish and Fish Habitat	Social	Economy	Land and Resource Use	Human Health and Community Safety	Visual Aesthetics	Archaeological and Cultural Heritage
<b>Archaeological and Cultural Heritage</b> ■ Archaeological Sites and Resources ■ Built Heritage Resources and Cultural Heritage Landscapes	X	-	X	-	-	-	-	-	-	-	X	-	X	-	-	

Notes: X = Potential pathway for indirect effect as a result of the Project.  
 - = No pathway for indirect effect is anticipated as a result of the Project.





## 9.4 Methods for Predicting Future Conditions

With respect to quantitative models and predictions, the IS / EA Report will detail the model assumptions, parameters, the quality of the data and the degree of certainty of the predictions obtained.

### 9.4.1 Archaeology

The Stage 1 Archaeological program will assess qualitative effects resulting from the Project on archaeological resources in the LSA. This program will seek to preserve and protect archaeological resources in place where possible, and as a result there is no quantitative approach to predicting future condition required.

The Stage 1 AA results in the determination of what areas retain archaeological potential and what areas are cleared of archaeological potential based on the criteria outlined in **Section 7.2**. This includes examining proximity to previously identified archaeological sites, other relevant archaeological assessments, proximity to water, elevated topography, a review of primary and secondary sources, significant areas identified during the collection of Indigenous Knowledge, and a visual inspection of the study area, as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). The report is concluded with a recommendation on whether Stage 2 AA is required and what the appropriate Stage 2 assessment strategy should consist of, as well as indicating what areas are cleared of archaeological concern. The report is then submitted to the MHSTCI for review and acceptance into the Provincial Register of Archaeological Reports (Ontario Government).

### 9.4.2 Cultural (Built) Heritage

The Cultural Heritage program will assess qualitative effects resulting from the Project on built heritage and landscape resources in the LSA. This program will seek to preserve and protect built heritage and landscape resources in place where possible, and as a result there is no quantitative approach to predicting future condition required.

The CHR will assure that cultural heritage resources of cultural heritage value or interest, including cultural heritage landscapes, are appropriately identified, understood, and conserved as part of this community-led EA. A transportation route may directly or indirectly affect cultural heritage resources through the introduction of physical, visual, audible or atmospheric elements to the existing environment that does not keep in character with the northern setting. When the nature of the undertaking is such that negative effects are unavoidable, it may be necessary to implement management or impact management measures that







alleviate the deleterious effects on cultural heritage resources. Impact management is the process of causing lessening or negating anticipated negative effects to cultural heritage resources.

To assess the potential effects of an undertaking within the LSA, identified cultural heritage resources are considered against a range of possible effects based on the *Ontario Heritage Tool Kit* (MHSTCI 2006), *Heritage Resources in the Land Use Planning Process* (Ontario Government 2014), *InfoSheet #5 Heritage Impact Assessments and Conservation Plans* (MHSTCI 2006a) which include, but are not limited to:

- Destruction, removal or relocation of any, or part of any, significant heritage attributes or features
- Alteration that is not sympathetic, or is incompatible, with the historic fabric or appearance
- Shadows created that alter the appearance of a heritage attribute or change the exposure or visibility of a natural feature or plantings, such as a garden
- Isolation of a heritage attribute from its surrounding environment, context, or a significant relationship
- Direct or indirect obstruction of significant views or vistas from, within, or to a built or natural heritage feature
- A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces
- Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource

Several additional factors are also considered when evaluating potential effects on identified cultural heritage resources. These are outlined in a document set out by the Ministry of Culture and Communications (now MHSTCI) and the Ministry of the Environment entitled *Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments* (MHSTCI 1992) and include<sup>7</sup>:

- Magnitude: the expected change from existing conditions
- Severity<sup>8</sup>: the ability to return to existing conditions
- Duration: the period of time the effect is expected to occur
- Frequency: how often the effect is expected to occur
- Range<sup>9</sup>: the spatial area that the effect is expected to occur within
- Diversity: the number of different kinds of activities to affect a heritage resource

7. The majority of additional factors defined within the *Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessment* are effects characteristics defined for the Project to be used to undertake the residual effects assessment. For consistency the definitions provided are the Project definitions for these terms rather than the definitions provided by MHSTCI. The MHSTCI and Project definitions are equivalent in meaning but vary slightly in how they are written.

8. This term is referred to as reversibility in the effects characteristics that will be used for the residual effect's assessment for the Project.

9. This term is referred to as geographic extent in the effects characteristics that will be used for the residual effect's assessment for the Project.





A preliminary impact assessment is conducted as a part of the CHR for the LSA in order to propose appropriate impact management measures and recommendations for minimizing and avoiding negative effects on cultural heritage resources, and the identification of further reporting requirements such as Cultural Heritage Evaluation Reports and / or Heritage Impact Assessments, if necessary.

## 9.5 Mitigation and Enhancement Measures

Once potential effects have been identified, the effects assessment will explore technically and economically feasible mitigation measures to avoid or minimize the identified negative effects and enhancement measures to increase positive effects, beyond those that are already inherent to design. These measures will consist of industry-standard practices, federal and provincial standard specifications, regulator-mandated measures, best management practices, Indigenous and community recommendations and recommendations from industry and environmental professionals based on expertise, scientific publications, experience and judgement.

It is important that mitigation and enhancement measures are achievable, measurable and verifiable and monitored for compliance and effectiveness during all temporal phases as part of the Project follow-up monitoring plan. Required environmental monitoring will verify the potential environmental effects predicted in the IS / EA Report, evaluate the effectiveness of mitigation and enhancement measures, and identify the process the Proponent will follow if mitigation and enhancement measures are not effective.

### 9.5.1 TISG Section 20 Requirements

There are two mitigation and enhancement measures to be included in the IS relating to Cultural Heritage:

1. Describe mitigation measures that are specific to each environmental, health, social or economic effect identified. Mitigation measures are to be written as specific commitments that clearly describe when and how the proponent intends to implement them, what decision-making criteria will be used, and the outcome these mitigation measures are designed to address; and,
2. Describe mitigation measures proposed by Indigenous peoples and the consideration of those in the Project.

Mitigation measures for addressing potential Project-environment interactions in the IS / EA Report include completing a Stage 1 AA to identify areas of archaeological potential within the LSA. Mitigation measures outlined in the Stage 1 AA will consist of whether an area is or is not clear of archaeological concerns, and





what areas require additional Stage 2 AA as per the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). The determination of the degree of archaeological potential (i.e., negligible, low, high) within the Stage 1 AA will provide an opportunity to avoid or minimize any potential negative effects to areas of archaeological potential, or areas identified by the Indigenous Consultation as being significant. Additionally, the CHR will assess the potential effects of an undertaking within the LSA, identified cultural heritage resources are considered against a range of possible effects based on the *Ontario Heritage Tool Kit* (MHSTCI 2006), *Heritage Resources in the Land Use Planning Process* (Ontario Government 2014), *InfoSheet #5 Heritage Impact Assessments and Conservation Plans* (MHSTCI 2006a).

Mitigation measures proposed by Indigenous peoples will be outlined and incorporated in the Stage 1 AA report and CHR collected through the Consultation and Engagement with Indigenous communities.

Further information on when and how mitigation measures will be implemented, what decision-making criteria will be used, and the outcome the mitigation measures are designed to address can be found in the following sections.

## 9.6 Residual Effects

Residual effects are the effects remaining after the application of mitigation measures. The IS / EA Report will describe in detail the potential adverse and positive residual effects in relation to each temporal phase of the Project (i.e., construction, operation). Residual effects will be described using criteria to quantify or qualify adverse and positive effects, taking into account any important contextual factors. The residual effects will therefore be described in terms of the direction, magnitude, geographic extent, duration, frequency, likelihood, and whether effects are reversible or irreversible<sup>10</sup>. Ecological and socio-economic context may also be relevant when describing a residual effect. Context relates to the existing setting, its level of disturbance and resilience to adverse effects. Context can also relate to timing as it applies to assessing the worst-case scenario (e.g., effect during migratory or calving season for wildlife). Where appropriate, information regarding residual effects will be disaggregated by sex, gender, age and other community relevant identifying factors to identify disproportionate residual effects for diverse subgroups.

Once detail design is complete and impacts are known, the archaeological assessment and the CHR will assess the impacts and provide mitigation, whether that is through excavation and removal of material

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10. TISG Section 13.1 identifies additional effects characteristics for certain disciplines (e.g., wetlands, birds, terrestrial wildlife, species at risk). These additional effects characteristics are described in the respective discipline-specific study plans.





aspects, or Project revision and avoidance. The CHR will include an impact assessment table that outlines the proposed impacts and the mitigations for each type of physical and non-material resource identified based on its location in proximity to the study area (i.e., within, abutting or participating). The CHR addresses the impacts specifically and will be discussed in detail in that report.

## 9.6.1 Magnitude

For magnitude, environmental discipline-specific definitions are required and are proposed below in **Table 9-4**.

**Table 9-4: Cultural Heritage Magnitude Definition**

Magnitude Level	Definition	Rationale
<b>Negligible</b>	<ul style="list-style-type: none"> <li>Retains no archaeological potential</li> </ul>	<ul style="list-style-type: none"> <li>Areas that have been subject to extensive and intensive deep land alterations that have severely damaged the integrity of any archaeological resources (i.e., previously disturbed or altered)</li> </ul>
<b>Low</b>	<ul style="list-style-type: none"> <li>Retains low archaeological potential</li> </ul>	<ul style="list-style-type: none"> <li>Areas that are permanently wet (e.g., wetlands, bogs, fens)</li> </ul>
<b>Medium - High</b>	<ul style="list-style-type: none"> <li>Retains medium to high archaeological potential</li> </ul>	<ul style="list-style-type: none"> <li>Proximity to previously identified archaeological sites;</li> <li>Distance to various types of water sources</li> <li>Soil texture and drainage;</li> <li>Glacial geomorphology, elevated topography and the general topographic variability of the area;</li> <li>Resource areas including food or medicinal plants, scarce raw materials and early Euro-Canadian industry;</li> <li>Areas of early Euro-Canadian settlement and early transportation routes;</li> <li>Properties listed on municipal register of properties designated under the <i>Ontario Heritage Act</i> (Ontario Government 1990);</li> <li>Properties that local histories or informants have identified with possible archaeological sites, historical events, activities or occupants;</li> <li>Historic landmark sites;</li> <li>Areas identified by Indigenous Knowledge of the area</li> </ul>

Criteria commonly used by the MHSTCI to determine areas of archaeological potential are listed in Section 1.3.1 of the *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). Distance to modern or ancient water sources is generally accepted as the most important element for past human settlement patterns and when considered alone may result in a determination of archaeological potential. In addition, any combination of two or more of the listed rationale indicates archaeological potential.





## 9.7 Consideration of Sustainability Principles

The following provides a generic description of how sustainability principles will be considered in the effects assessment. The extent to which sustainability principles apply to a specific VC will vary depending on the nature of the VC and the potential for Project effects on the VC.

The effects assessment approach for the Project has included the consideration of the sustainability principles outlined in the Project TISG (the Agency 2020b) and the Agency's guidance on sustainability. The sustainability principles that have been considered include:

1. Consider the interconnectedness and interdependence of human-ecological systems;
2. Consider the well-being of present and future generations;
3. Consider positive effects and reduce adverse effects of the Project; and
4. Apply the precautionary principle by considering uncertainty and risk of irreversible harm.

The interconnectedness and interdependence of human-ecological systems will be considered through the assessment of potential indirect effects of each alternative. An indirect effect occurs when a change to one environmental discipline resulting from a Project activity causes a change to another environmental discipline (e.g., changes in vegetation could indirectly affect wildlife). A preliminary assessment of indirect effects has been included in **Section 9.3**.

The well-being of present and future generations will be considered in the effects assessment through the application of the long-term operations phase temporal boundary of 75 years (**Section 6.1**) and through the effects characteristics description of duration and reversibility for each residual effect predicted.

The consideration of positive effects and reducing adverse effects of the Project is fundamental to the effects assessment methodology through the identification of mitigation measures to reduce potential adverse effects and the identification of the preferred alternative through the evaluation of advantages (e.g., positive effects) and disadvantages (e.g., adverse effects).

The effects assessment will apply the precautionary principle by clearly describing and documenting all uncertainties and assumptions underpinning the analysis and identifying information sources. The effects assessment will consider risk of irreversible harm through the effects characteristics description of reversibility for each residual effect predicted and will describe any uncertainty associated with the assessment of residual effects.





The scope of the sustainability assessment will be defined by issues of importance identified by Indigenous communities and interested persons through consultation and engagement activities, while also ensuring to be inclusive of the diversity of views expressed. The selection of VCs that will be the focus of the sustainability assessment will be aligned with the issues of importance identified by Indigenous communities and interested persons, as well as residual effects identified through the effects assessment process. The sustainability assessment will describe how the planning and design of the Project, in all phases including follow-up monitoring, considered the sustainability principles.

## 9.8 Consideration of Identity and Gender-Based Analysis Plus in Effects Assessment

The Proponent recognizes that communities and sub-populations within those communities may be impacted differently by the Project with respect to VCs and indicators. As such, the Project aims to collect baseline information for the purpose of assessing differential effects and establishing relevant mitigation measures, as further elaborated on in **Section 4.3**. Gender-Based Analysis Plus will not be limited to community feedback; when offered or discussed in secondary texts, additional sub-population information as is applicable to the relevant assessment will be incorporated.

## 9.9 Follow-up Programs

A follow-up program verifies the accuracy of the effects assessment and evaluates the effectiveness of mitigation measures. Identification of follow-up programs for the Project are not described in this Study Plan as the information needed to determine environmental monitoring requirements is dependent on the outcome of the effects assessment and consultation with Indigenous communities, agencies and interested persons. Therefore, the Proponent will include information on follow-up programs, that address the requirements outlined in Section 26 of the TISG, in the IS / EA Report and will identify the compliance and effects monitoring activities to be undertaken during all phases of the Project, as required.

Should archaeological resources be identified during the Stage 2 field work, further archaeological work may be required to mitigate the resource, as needed.





## 10. Assumptions

Any assumption used in the effects assessment, for example the assumed average daily traffic on the CAR, will be clearly identified and a rationale provided in the IS / EA Report.

Should proposed impacts be planned for land outside of the previously assessed LSA, another Stage 1 AA will be required to capture those lands. This includes land required for construction, maintenance or temporary land uses (e.g., aggregate pits, temporary access roads, laydown areas).

It is assumed the PDA will be defined, including temporary areas required for construction (i.e., laydown or easements), prior to undertaking the Stage 2 AA. The Stage 2 AA will only be completed for the direct areas of proposed impacts for the Project.

It is assumed the CHR will be completed for the study area outlined in Figure 6-2, and the alternatives will be evaluated as part of the EA. Therefore, the CHR preliminary impact assessment component may be updated once a preferred route option has been selected. This will be captured under additional scope, as required.





# 11. Concordance with Federal and Provincial Guidance

This section provides the best information currently available on how federal and provincial requirements identified for the Project to date will be addressed. The final concordance with federal and provincial requirements will be included in the IS / EA Report, and will be based on regulatory agency guidance, professional judgement and input received through the Project consultation and engagement process.

The *Far North Act*, is the legislative foundation of land use planning in the Far North and is an approach using consensus-based decision-making between First Nations and Ontario. The purpose of the Act is to provide for community based land use planning in the Far North that:

- sets out a joint planning process between the First Nations and Ontario
- supports the environmental, social and economic objectives for land use planning for the peoples of Ontario
- is done in a manner that is consistent with the recognition and affirmation of existing Aboriginal and Treaty Rights in Section 35 of the *Constitution Act*, 1982, including the Duty to Consult

As set out in the act, the objectives for land use planning include the following:

- a significant role for First Nations in the planning
- the protection of areas of cultural value and protection of ecological systems by including at least 225,000 square km of the Far North in an interconnected network of protected areas designated in community based land use plans
- the maintenance of biological diversity, ecological processes and ecological functions, including the storage and sequestration of carbon in the Far North
- enabling sustainable economic development that benefits the First Nations

## 11.1 Archaeology

Unless otherwise specified, archaeological assessments in Ontario completed on Crown land defaults to the Ontario's MHSTCI's *Standards and Guidelines for Consultant Archaeologists* (Ontario Government 2011). Parks Canada is notified only when the assessment is conducted on federally owned and operated land, which includes any of the Canadian Parks. Archaeological investigations on other federally designated land,







such as First Nations reserve land, will be completed to meet all federal and provincial standards. This will be achieved through meaningful consultation and engagement with each Nation in order to incorporate other specific protocols that may be implemented on First Nations Reserve land. This is reflected in the *Far North Act* (Ontario Government 2010), a legislative foundation of land use planning in the Far North using consensus-based decision making between First Nations and Ontario.

The MECP requires a permit for completing invasive archaeological investigations within provincial park boundaries (MECP *n.d.*; Canadian Government 2009; Parks Canada *n.d.*). The LSA includes the Albany River and the Ogoki River Provincial Parks (MECP 1985, 2003). Should further Stage 2 AA be required within the park properties, a permit must be obtained prior to work commencing.

The Stage 1 AA report is submitted to the Ontario Minister of Heritage, Sport, Tourism, and Culture Industries as a condition of licensing in accordance with Part VI of the *OHA*, R.S.O. 1990, c 0.18 (Ontario Government 1990). The report is reviewed to assure that it complies with the standards and guidelines that are issued by the Minister, and that the archaeological field work and report recommendations assure the conservation, protection and preservation of the cultural heritage of Ontario. When all matters relating to archaeological sites within the Project area of a development proposal have been addressed to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries, a letter will be issued by the Ministry stating that there are no further concerns with regard to alterations to archaeological sites by the proposed development.

It is an offence under Sections 48 and 69 of the *OHA* for any party other than a licensed archaeologist to make any alteration to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from the site, until such time as a licensed archaeologist has completed field work on the site, submitted a report to the Minister stating that the site has no further cultural heritage value or interest, and the report has been filed in the Ontario Public Register of Archaeology Reports referred to in Section 65.1 of the *OHA*.

Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48(1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological field work, in compliance with Section 48(1) of the *OHA*.

Archaeological sites recommended for further archaeological field work or protection remain subject to section 48 (1) of the *OHA* and may not be altered, or have artifacts removed from them, except by a person holding an archaeological license.





The *Funeral, Burial and Cremation Services Act*, 2002, S.O. 2002, c.33 (when proclaimed in force in 2012) (Ontario Government 2002) require that any person discovering human remains must notify the police or coroner and the Registrar of Burial Sites, War Graves, Abandoned Cemeteries, and Cemetery Closures.

## 11.2 Cultural (Built) Heritage

The analysis throughout the study process addresses cultural heritage resources under various pieces of legislation and their supporting guidelines. This cultural heritage assessment considers cultural heritage resources in the context of improvements to specified areas, pursuant to the *Environmental Assessment Act*. The *Environmental Assessment Act* (Ontario Government 1990a) provides for the protection, conservation and management of Ontario's environment. Under the *Environmental Assessment Act*, "environment" is defined in Subsection 1(c) to include:

- cultural conditions that influence the life of man or a community; and
- any building, structure, machine, or other device or thing made by man.

The *OHA* gives the MHSTCI the responsibility for the conservation, protection and preservation of Ontario's cultural heritage resources. The MHSTCI is charged under Section 2 of the *OHA* with the responsibility to determine policies, priorities and programs for the conservation, protection and preservation of the heritage of Ontario and has published two guidelines to assist in assessing cultural heritage resources as part of an environmental assessment: *Guideline for Preparing the Cultural Heritage Resource Component of Environmental Assessments* (MHSTCI 1992), and *Guidelines on the Man-Made Heritage Component of Environmental Assessments* (MHSTCI 1980). Accordingly, both guidelines have been utilized in this assessment process.

The *Guidelines on the Man-Made Heritage Component of Environmental Assessments* (Section 1.0) states the following:

"When speaking of man-made heritage we are concerned with the works of man and the effects of his activities in the environment rather than with movable human artifacts or those environments that are natural and completely undisturbed by man."

In addition, environment may be interpreted to include the combination and interrelationships of human artifacts with all other aspects of the physical environment, as well as with the social, economic and cultural conditions that influence the life of the people and communities in Ontario. The *Guidelines on the Man-*





*Made Heritage Component of Environmental Assessments* distinguish between two basic ways of visually experiencing this heritage in the environment, namely as cultural heritage landscapes and as built heritage.

The MHSTCI has also published *Standards and Guidelines for Conservation of Provincial Heritage Properties*, effective as of July 1, 2010 (hereafter *Standards and Guidelines*). These *Standards and Guidelines* apply to properties the Government of Ontario owns or controls that have cultural heritage value or interest. The *Standards and Guidelines* provide a series of guidelines that apply to provincial heritage properties in the areas of identification and evaluation: protection, maintenance, use, and disposal. For the purpose of this CHR, the *Standards and Guidelines* provide points of reference to aid in determining heritage significance in the evaluation of these properties.

Similarly, the *Ontario Heritage Tool Kit* (MHSTCI 2006) provides a guide to evaluate heritage properties. It states, to conserve a cultural heritage resource a municipality or approval authority may require a heritage impact assessment and / or a conservation plan to guide the approval, modification, or denial of a proposed development.

Additionally, the *Planning Act* (Ontario Government 1990c) and related *Provincial Policy Statement* (Ontario Government 2020), make a number of provisions relating to heritage conservation. It is important to note that while these policies are not necessarily applicable under the *Far North Act*, they do highlight the importance of conserving archaeological and cultural heritage features to the province of Ontario and are utilized as guidance documents.

One of the general purposes of the *Planning Act* is to integrate matters of provincial interest in provincial and municipal planning decisions. In order to inform all those involved in planning activities of the scope of these matters of provincial interest, Section 2 of the *Planning Act* provides an extensive listing. One of these provincial interests is directly concerned with:

- 2.(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest

Those policies of particular relevance for the conservation of heritage features are contained in Section 2-Wise Use and Management of Resources, wherein Subsection 2.6 - Cultural Heritage and Archaeological Resources, makes the following provisions:

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.





A number of definitions that have specific meanings for use in a policy context accompany the *Provincial Policy Statement* (Ontario Government 2020). For the purposes of the study plan in reference to Cultural Heritage, the term ‘cultural heritage resources’ was used to describe both cultural heritage landscapes and built heritage resources.

*A built heritage resource* “means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the *Ontario Heritage Act*, or that may be included on local, provincial, federal and / or international registers.” (Ontario Government 2020).

*A cultural heritage landscape* “means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the *Ontario Heritage Act*, or have been included on federal and / or international registers, and / or protected through official plan, zoning by-law, or other land use planning mechanisms.” (Ontario Government 2020).

In addition, significance is also more generally defined. It is assigned a specific meaning according to the subject matter or policy context, such as wetlands or ecologically important areas. With regard to cultural heritage and archaeology resources, resources of significance are those that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (Ontario Government 2020).

Criteria for determining significance for the resources are recommended by the Province. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (Ontario Government 2020).

Accordingly, the abovementioned guidelines and relevant policy statements can be used to guide the scope and methodology of a CHR.





**Table 11-1: Study Plan Federal Concordance – Conformance with Requirements**

ID #	Federal TISG Reference	Requirement / Comment / Concern	Response	Study Plan Reference
1	TISG Section 12.1	<ul style="list-style-type: none"> <li>The IA will include a description of the historical baseline conditions associated with Indigenous cultures and the ability to transmit culture (e.g., through language, ceremonies, harvesting, teaching of sacred laws, traditional laws, stewardship laws, and traditional knowledge)</li> </ul>	<ul style="list-style-type: none"> <li>The Stage 1 AA will identify areas of high archaeological potential or sites that may be impacted by the Project. This will be completed by examining proximity to previously identified archaeological sites, proximity to water, elevated topography, incorporation of Indigenous Knowledge, and a visual inspection of the study area.</li> <li>The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> </ul>
2	TISG Section 17.6	<ul style="list-style-type: none"> <li>The IA will include an assessment of potential impacts to surrounding communities, including local Indigenous communities. Changes to:               <ul style="list-style-type: none"> <li>– structures, sites or things of historical, archaeological, paleontological or architectural significance and associated effects on other social and economic conditions, specifically burial sites</li> <li>– traditional cultural activities (such as religious ceremonies, traditional hunting, etc.) that might be caused by the project; and culturally significant plants or wildlife</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The Stage 1 AA will identify areas of high archaeological potential or sites that may be impacted by the Project. Based on Project design, excavation/mitigation of archaeological sites will be recommended in subsequent stages of archaeological investigation for the Project that are outside of the scope of the Stage 1 AA.</li> <li>The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9</li> </ul>
3	TISG Section 19.1	<ul style="list-style-type: none"> <li>The IA will include a discussion of appropriate methodologies for assessing effects and impacts on the physical and cultural heritage by the Project. Specifically including cultural heritage, and structures, sites or things of historical, archaeological, paleontological or architectural significance to groups, including, but not limited to:               <ul style="list-style-type: none"> <li>– the loss or destruction of physical and cultural heritage;</li> <li>– changes to access to physical and cultural heritage;</li> <li>– changes to the cultural value, spirituality, or importance associated with physical and cultural heritage;</li> <li>– sacred, ceremonial or culturally important places, objects, or things, including languages, stories and traditions; and visual aesthetics over the life of the Project and post-Project abandonment or decommissioning.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The Stage 1 AA will identify areas of high archaeological potential or sites that may be impacted by the Project. Based on Project design, excavation/mitigation of archaeological sites will be recommended in subsequent stages of archaeological investigation for the Project that are outside of the scope of the Stage 1 AA.</li> <li>The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> </ul>





**Table 11-2: Study Plan Provincial Concordance – Conformance with Requirements**

ID #	Comment From Regulatory Agency	Provincial Draft ToR Comment Reference <sup>[2]</sup>	Requirement / Comment / Concern	Response	Study Plan Reference
1	MECP	<ul style="list-style-type: none"> <li>■ Email from Katherine Kirzati, Heritage Planning Unit, Ministry of Heritage, Sport, Tourism, and Culture Industries, Programs and Services Branch with comments on the Draft ToR</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>7.1.4.13 Cultural Heritage Resources</b> Page 45 6th paragraph               <ul style="list-style-type: none"> <li>– In addition to archaeological resources, which focus on specific localities and material remains of past occupation (...) key information sources will be Indigenous knowledge and discussions.</li> <li>– Please note that Standards and Guidelines for Conservation of Provincial Heritage Properties apply to this project as some properties are owned or controlled by the Crown in right of Ontario or by a public body prescribed under Ontario Regulation 157/10. Given the size of the study area, MHSTCI recommends that a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment be undertaken. Indigenous communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Indigenous communities includes a discussion about known or potential cultural heritage resources that are of value to them. Please note that definitions of built heritage resources and cultural heritage landscapes are from the Provincial Policy Statement.</li> <li>– Therefore, MHSTCI recommends inserting the following:                   <ul style="list-style-type: none"> <li>• Include a subheading (2) Built Heritage Resources and Cultural Heritage Landscapes.</li> <li>• Replace the 6th paragraph with:                       <ul style="list-style-type: none"> <li>■ A Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment will be undertaken by a qualified person. The Report will:                           <ul style="list-style-type: none"> <li>■ Identify existing baseline cultural heritage conditions, including a historical summary of the development of the study area and all known or potential built heritage resources and cultural heritage landscapes in the study area based on research. Indigenous knowledge, MHSTCI screening checklist Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes and professional judgement.</li> <li>■ Identify preliminary potential project-specific impacts on the known and potential built heritage resources and cultural heritage landscapes that have been identified.</li> </ul> </li> <li>• Propose and recommend measures to avoid or mitigate potential negative impacts to known or potential built heritage resources and cultural heritage landscapes.</li> </ul> </li> </ul> </li> <li>– As part of this study, engagement with Indigenous communities is key. The Report will be completed during the environmental assessment and prior to the EA completion. The proposed mitigation measures will inform the selection of alternatives, next steps of project planning and design as well as additional studies)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ Upon consultation with the MHSTCI on May 7, 2020, it is understood that a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment is required to be undertaken by a qualified person.</li> <li>■ The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> <li>■ A preliminary impact assessment is conducted as a part of the CHR for the LSA in order to propose appropriate impact management measures and recommendations for minimizing and avoiding negative effects on cultural heritage resources, and the identification of further reporting requirements such as Cultural Heritage Evaluation Reports and/or Heritage Impact Assessments, if necessary. However, the CHR may be updated with the preliminary impact assessment component once a preferred route option has been selected.</li> </ul>	Section 7.3



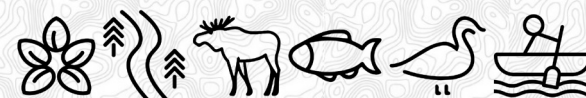


ID #	Comment From Regulatory Agency	Provincial Draft ToR Comment Reference <sup>[2]</sup>	Requirement / Comment / Concern	Response	Study Plan Reference
2	MECP	<ul style="list-style-type: none"> <li>Email from Katherine Kirzati, Heritage Planning Unit, Ministry of Heritage, Sport, Tourism, and Culture Industries, Programs and Services Branch with comments on the Draft ToR</li> </ul>	<ul style="list-style-type: none"> <li><b>Table 7-4: Preliminary Identification of Potential Environmental Effects</b> Page 48 / Potential Effects on Cultural Heritage Resources               <ul style="list-style-type: none"> <li>– Damage to, or loss of, archaeological or other sites.</li> <li>– MHSTCI recommends that the description of potential effects be expanded as follow:                   <ul style="list-style-type: none"> <li>• Disturbance or destruction of, archaeological resources.</li> <li>• Displacement of built heritage resources and/or cultural heritage landscape by removal and/or demolition and/or disruption by isolation</li> <li>• Impacts to registered and unregistered cemeteries which have been identified and documented.</li> <li>• Effects on cultural heritage landscapes</li> </ul> </li> <li>– Disruption of cultural heritage resources by the introduction of physical, visual, audible or atmospheric elements that are not in keeping with the character and setting of cultural heritage resources</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> </ul>	Section 9
3	MECP	<ul style="list-style-type: none"> <li>Email from Katherine Kirzati, Heritage Planning Unit, Ministry of Heritage, Sport, Tourism, and Culture Industries, Programs and Services Branch with comments on the Draft ToR</li> </ul>	<ul style="list-style-type: none"> <li><b>7.2.12 Cultural Heritage Resources</b> Page 53 / Potential Environmental Effects to Cultural Heritage Resources               <ul style="list-style-type: none"> <li>– Should any archaeological or built heritage and cultural landscapes be identified in the area of the Project, there is a potential for damage to, or the loss of the cultural heritage resources through ground disturbance activities (e.g., blasting, grading). Any activity with the potential to cause ground disturbance may also inadvertently discover and/or disturb previously unknown resources. Vibration generated by heavy equipment.</li> <li>– This project has the potential to impact cultural heritage resources. This section should be expanded to indicate how potential environmental effects / impacts to cultural heritage resources will be identified and assessed. Therefore, MHSTCI recommends that the existing paragraph be replaced with the following suggested text:                   <ul style="list-style-type: none"> <li>• <i>Cultural heritage resources (archaeological resources, built heritage resources and cultural heritage landscapes) may be impacted by the Project. Potential environmental effects as relates to cultural heritage resources are described in Table 7-4. Technical cultural heritage studies (i.e. archaeological assessment(s), Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment) will be undertaken during the EA process and will identify preliminary effect/impacts and recommend avoidance and/or mitigation measures, if any negative effects/impacts on cultural heritage resources.</i></li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>The Stage 1 AA will identify areas of high archaeological potential or sites that may be impacted by the Project. Based on Project design, excavation / mitigation of archaeological sites will be recommended in subsequent stages of archaeological investigation for the Project that are outside of the scope of the Stage 1 AA.</li> <li>The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> </ul>	Section 7
4	MECP	<ul style="list-style-type: none"> <li>Email from Katherine Kirzati, Heritage Planning Unit, Ministry of Heritage, Sport, Tourism, and Culture Industries, Programs and Services Branch with comments on the Draft ToR</li> </ul>	<ul style="list-style-type: none"> <li><b>Table 13-1: Potential Permits and Approvals for the Proposed Project</b> Page 83 / Ministry of Heritage, Sport, Tourism and Culture Industries Archaeological and Cultural Clearances               <ul style="list-style-type: none"> <li>– See above comments regarding technical cultural heritage studies.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Upon consultation with the MHSTCI on May 7, 2020, it is understood that a Cultural Heritage Report: Existing Conditions and Preliminary Impact Assessment is required to be undertaken by a qualified person.</li> <li>The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> <li>A preliminary impact assessment is conducted as a part of the CHR for the LSA in order to propose appropriate impact management measures and recommendations for minimizing and avoiding negative effects on cultural heritage resources, and the identification of further reporting requirements such as Cultural Heritage Evaluation Reports and/or Heritage Impact Assessments, if necessary. However, the CHR may be updated with the preliminary impact assessment component once a preferred route option has been selected.</li> </ul>	Section 7.3





ID #	Comment From Regulatory Agency	Provincial Draft ToR Comment Reference <sup>[2]</sup>	Requirement / Comment / Concern	Response	Study Plan Reference
5	MECP	<ul style="list-style-type: none"> <li>■ Email from Katherine Kirzati, Heritage Planning Unit , Ministry of Heritage, Sport, Tourism, and Culture Industries, Programs and Services Branch with comments on the Draft ToR</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>Appendix A – Appendix A – Draft Criteria and Indicators for Alternatives Evaluation</b>            Page 6 Environmental Discipline: Cultural Environment/Cultural Heritage Resources           <ul style="list-style-type: none"> <li>– Based on the comments above, MHSTCI recommends the following text:                Criteria: Built Heritage Resources and Cultural Heritage Landscapes Indicator:               <ul style="list-style-type: none"> <li>• Areas of significance to local communities</li> <li>• Areas of known or potential cultural heritage value or interest</li> <li>• Areas of Religious or Spiritual Significance Potential Data Sources:                   <ul style="list-style-type: none"> <li>▪ Indigenous Knowledge</li> <li>▪ Recent and historical maps of the study area</li> <li>▪ Primary and secondary documentary sources (both current and archival written accounts, maps, drawings, plans and images)</li> <li>▪ Site visits</li> <li>▪ Community Based Land Use Planning initiatives</li> </ul> </li> </ul> </li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ The CHR will present an inventory of previously identified and potential built heritage resources and cultural heritage landscapes, identify the existing conditions of the study area, identify preliminary potential impacts to the cultural heritage resources, and propose appropriate mitigation measures.</li> </ul>	Section 9







## 12. References

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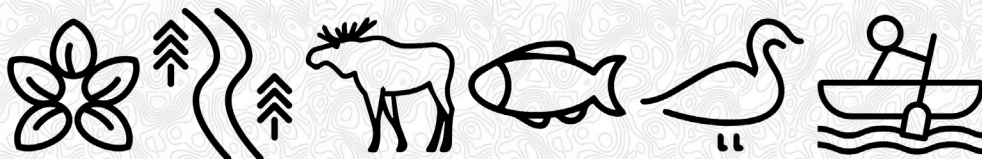
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# Appendix A

## Preliminary List of Data Sources





## Archaeology

### ✦ Primary Sources

- Indigenous Knowledge
- Recent and historical maps of the study area
- Community Based Land Use Planning initiatives
- Field Survey
- Primary and secondary documentary sources (both current and archival written accounts, maps, drawings, plans and images)
- Public and Indigenous community engagement

### ✦ Secondary Sources

- Scientific or academic publications
- Reports of previous Archaeological Assessments in proximity to the study area
- The MHSTCI's Ontario Archaeological Sites Database for a listing of registered archaeological sites within a 5 km radius of the study area

## Cultural Heritage

### ✦ Primary Sources

- Indigenous Knowledge
- Recent and historical maps of the study area
- Community Based Land Use Planning initiatives
- Field Survey
- Primary and secondary documentary sources (both current and archival written accounts, maps, drawings, plans and images)
- Public and Indigenous community engagement

### ✦ Secondary Sources

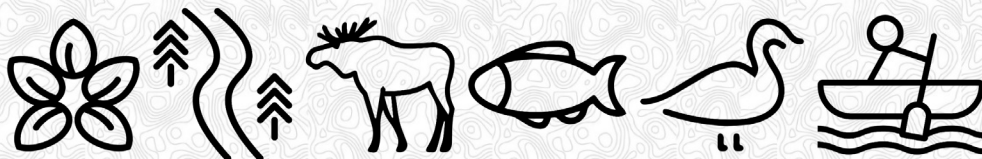
- Scientific or academic publications
- Reports of previous Archaeological Assessments in proximity to the study area
- The MHSTCI's Ontario Archaeological Sites Database for a listing of registered archaeological sites within a 5 km radius of the study area





# Appendix B

## Draft Study Plan Comments – Federal Agencies



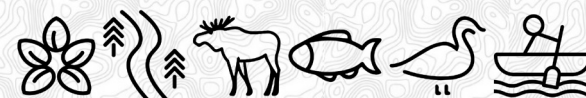


Comment #/ Ref #	DRAFT Study Plan Section	TISG Section	Agency/ Regulatory Body Comments Received from	Comment / Context	Action Item	Final Response	Study Plan Reference
GC	General Comment	N/A	The Agency	In addition to the required actions detailed below, other required actions to be addressed in the update to this study plan are detailed in a separate table titled "2020-07-02 – IAAC to Marten Falls First Nation - General Comments on MFCAR Draft Study Plans". The Agency has provided these other required actions to highlight common sections of the Tailored Impact Statement Guidelines (the Guidelines) where requirements were not met in the draft study plans submitted to the Agency. These additional actions must be addressed in the updated study plans.		We have reviewed the relevant comments and incorporated where appropriate. Please refer to the General Comments Table Response submitted separately to the Agency for specific responses.	Various Sections
CH-01	Section 3	Section 7.1 and 7.4 of the Guidelines	The Agency	<p><b>Spatial Boundaries: Study Areas</b></p> <ul style="list-style-type: none"> <li>Section 3 of the study plan states that the Project Study Area (PSA), the Local Study Area (LSA) and the Regional Study Area (RSA) were defined to meet the requirements of the Ontario Heritage Act (Ontario Government 1990b) and the Standards and Guidelines for Consultant Archaeologists (Ontario Government 2011). Section 3 states that the LSA will encompass a "5km wide area around the centreline of Alternative 1 and Alternative 4" and the RSA will encompass the "LSA + a 1km radius".</li> <li>Section 7.1 of the Guidelines explains that the Impact Statement must establish appropriate study area boundaries to describe the baseline conditions. The study area boundaries need to encompass the spatial boundaries of the Project, including any associated project components or activities, and the anticipated boundaries of the Project's effects, including all potentially impacted local communities, municipalities and Indigenous groups.</li> <li>Section 7.4 of the Guidelines states that the proponent should engage with Indigenous groups when defining spatial and temporal boundaries for valued components, especially for those that are identified by Indigenous groups. Spatial boundaries are defined taking into account the appropriate scale and spatial extent of potential effects and impacts of the Project; community knowledge and Indigenous knowledge; current or traditional land and resource use by Indigenous groups; exercise of Aboriginal and Treaty rights of Indigenous peoples, including cultural and spiritual practices; and physical, ecological, technical, social, health, economic and cultural considerations.</li> <li>The criteria used to define the PSA, LSA, and RSA in the study plan appear to consider provincial requirements only and do not meet the requirements of Section 7.1 or 7.4 of the Guidelines.</li> </ul>	<p><b>Required Action # 1:</b> Update the study plan to demonstrate an approach to collect information that meets the requirements of Sections 7.1 and 7.4 of the Guidelines and how Indigenous groups and the public have been, or will be, provided an opportunity to inform the spatial and temporal boundaries.</p> <p><b>Required Action # 2:</b> Provide further detail in the study plan to clarify if stage 1 of the archaeological assessment, as mentioned in Section 4.1 of the study plan, took into account the aforementioned requirements of Sections 7.1 and 7.4 of the Guidelines.</p>	<p>The spatial boundaries for the Stage 1 AA were developed based on direction provided by the Proponent. The LSA boundaries are to include the spatial boundaries of the Project, including any associated Project components or activities, and the anticipated boundaries of the Project's effects, including all potentially impacted local communities, municipalities and Indigenous groups. The effects assessment can be found in <b>Section 9</b>. The MFFN CAR Project Team will provide opportunities for consultation and engagement with Indigenous communities identified in the <i>Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020a). Indigenous communities will be involved throughout the environmental assessment so that the MFFN CAR Project Team can consider and incorporate, where appropriate, Indigenous Knowledge and Indigenous land and resource use information into the Project as applicable. Specific consultation and engagement activities and schedules are currently in development and will be shared with the MECP once available. A summary of the consultation plan has been provided in the Study Plan; further details can be found in the ToR.</p>	Section 6 Project Boundaries; Section 4 Consultation and Engagement; Section 9 Effects Assessment





Comment #/ Ref #	DRAFT Study Plan Section	TISG Section	Agency/ Regulatory Body Comments Received from	Comment / Context	Action Item	Final Response	Study Plan Reference
CH-02	■ General Comment	■ Section 7.4.2 of the Guidelines	■ The Agency	<p>■ <b>Temporal Boundaries</b></p> <ul style="list-style-type: none"> <li>– The study plan provides no information on how temporal boundaries of the impact assessment will be established for the Project.</li> <li>– Section 7.4.2 of the Guidelines requires the proponent to consider how elements of environmental, health, social and economic well-being that local communities, including municipalities, and Indigenous groups identify as being valuable could change over time.</li> </ul>	<p>■ <b>Required Action # 3:</b></p> <p>Provide a clear description in the study plan of the proposed methods for the establishment of temporal boundaries for the baseline and effects assessment of physical and cultural heritage.</p>	<p>■ In determining the temporal boundaries, in particular the long operations and maintenance phase, consideration was given to the long-term effects on the well-being of present and future generations. The final temporal boundaries to be used in the IS / EA Report will be based on regulatory agency guidance, professional judgement and input received through the Project consultation process. <b>Section 6.2</b> of the Study Plan describes temporal boundaries in more detail.</p>	■ Section 6.2
CH-03	■ Section 4.1 and 4.2	■ Section 6 of the Guidelines	■ The Agency	<p>■ <b>Baseline Data Collection</b></p> <ul style="list-style-type: none"> <li>– Section 4.1 of the study plan states that the stage 1 archeological assessment completed for the Project involved incorporation of Indigenous traditional knowledge and that “MFFN provided AECOM with Indigenous Knowledge (IK) data for the study area”. Section 4.2 states that cultural heritage will be identified through “community engagement including with MFFN, with particular knowledge regarding the cultural heritage landscape in general and potential cultural heritage resources.”</li> <li>– Section 6 of the Guidelines states: “The Agency requires the proponent to engage with, at a minimum, the communities listed in the Indigenous Engagement and Partnership Plan (IEPP)”. Section 12 of the Guidelines states: “Proponents are required to engage with Indigenous groups in developing baseline conditions, in order to identify and understand the potential impacts of their projects on Indigenous peoples, the exercise of Aboriginal and Treaty rights and to incorporate Indigenous knowledge into the impact assessment. The results of any engagement should be presented in the Impact Statement, and, as best as possible should reflect the perspective of the Indigenous peoples involved. If an Indigenous group has chosen not to participate, the proponent should identify the community and provide evidence of efforts to engage”.</li> <li>– It is not clear whether Indigenous groups listed in the IEPP, other than Marten Falls First Nation and Aroland First Nation, have been engaged on baseline data collection to date and which groups will be engaged on baseline data collection moving forward.</li> </ul>	<p>■ <b>Required Action # 4:</b></p> <p>Provide a clear description in the study plan of how all Indigenous groups listed in the IEPP will have opportunities to provide Indigenous knowledge, including the validation of the baseline data collected. This should include a description of the proposed methods for data collection, management of confidentiality, and information storage. This should also include a methodology for tracking information that has been approved by the group, to demonstrate that guidance outlined in Section 6.2 of the Guidelines has been incorporated into this study plan.</p>	<p>■ The MFFN CAR Project Team will provide opportunities for consultation and engagement with Indigenous communities identified in <i>the Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020a). Indigenous communities will be involved throughout the environmental assessment so that the MFFN CAR Project Team can consider and incorporate, where appropriate, Indigenous Knowledge and Indigenous land and resource use information into the Project as applicable. Specific consultation and engagement activities and schedules are currently in development and will be shared with MECP once available. A summary of the <i>Consultation and Engagement Plan to Support the EA / IS</i> (AECOM 2020) has been provided in the Study Plan; further details can be found in the ToR.</p>	■ Section 4







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CH-04	<ul style="list-style-type: none"> <li>Section 4.1 and 4.2</li> </ul>	<ul style="list-style-type: none"> <li>Sections 12.1, 17.6 and 19.1 of the Guidelines</li> </ul>	<ul style="list-style-type: none"> <li>The Agency</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.2 of the study plan states that “for the purposes of the Study Plan in reference to Cultural Heritage, the term ‘cultural heritage resources’ was used to describe both cultural heritage landscapes and built heritage resources.” By defining cultural heritage as cultural heritage landscapes and built cultural heritage, the study plan fails to consider non-material aspects of cultural heritage.</li> <li>Sections 12.1, 17.6 and 19.1 of the Guidelines instruct the proponent to consider the following non-material aspects of cultural heritage:               <ul style="list-style-type: none"> <li>– cultural values and experiences of being on the land, including harvesting specific resources (section 12.1)</li> <li>– Indigenous governance systems and Indigenous laws tied to the landscape (section 12.1);</li> <li>– anticipated effects to language, such as the relative balance of speakers of local languages, English, and French, and the availability of public services in these languages (section 17.6);</li> <li>– traditional cultural activities (such as religious ceremonies, traditional hunting, etc.) that might be caused by the Project (section 17.6); and</li> <li>– changes to the cultural value, spirituality, or importance associated with physical and cultural heritage (section 19.1).</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Required Action # 5:</b> Provide details of how non-material aspects of cultural heritage will be considered during the baseline data collection. The study plan should note or draw linkages to the requirements of section 12.2 and 12.4 of the Guidelines. Findings of the cultural heritage study plan should inform the proponent’s characterization of the current use of lands and resources for traditional purposes and the conditions related to the rights of Indigenous peoples in the Impact Statement.</li> </ul>	<ul style="list-style-type: none"> <li>The MFFN CAR Project Team will work with Indigenous communities to ensure that Indigenous Knowledge and any information on Indigenous land and resource use shared is appropriately integrated into the assessment processes. This will include providing Indigenous communities with the opportunity to collaborate with the MFFN CAR Project Team on the effects assessment. The opportunity to complete their own effects assessment will also be provided to communities, and the MFFN CAR Project Team will work with you to incorporate your effects assessment into the assessment processes. The MFFN CAR Project Team will also provide opportunities to review and discuss draft assessment documents to ensure that the information has been captured and presented appropriately. Study Plan <b>Section 5</b> describes how Indigenous Knowledge will be incorporated into the effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 5</li> </ul>
CH-05	<ul style="list-style-type: none"> <li>Section 4.1</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>The Agency</li> </ul>	<ul style="list-style-type: none"> <li>Archeology Study Methods               <ul style="list-style-type: none"> <li>– Section 4.1 of the study plan states that “...a number of field tasks were accomplished including a Stage 1 field review/visual inspection, some initial Stage 2 fieldwork at major river crossings” and “The Stage 2 strategy consisted of concentrating primarily on the alternatives for the major river crossings and any specific locations MFFN would like us to examine/record this season”.</li> <li>– It is unclear why only the two major water crossings were included in the archeological assessment.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Required Action # 6:</b> Provide a rationale in the study plan, as to why the minor water crossings were not considered in the Stage 1 archeological assessment.</li> </ul>	<ul style="list-style-type: none"> <li>This is a misreading of the information provided, and the study plan has been updated in <b>Section 7</b> to provide more clarity. There are two activities occurring simultaneously. During the Stage 1AA, archaeological potential was determined through the criteria outlined in <b>Section 7</b> of the Study Plan. In addition to completing the Stage 1 property inspection, the Stage 2 field assessment was started. Given direction from the internal team, the Stage 2 began at some of the larger water crossings (the major water crossings were a focus in order to inform ongoing bridge design). This does not mean the minor watercourses will not be assessed if they have been deemed to retain archaeological potential, but given the time of the Stage 2 AA, only specific areas were targeted at that time of the year. Further Stage 2 fieldwork is required.</li> </ul>	<ul style="list-style-type: none"> <li>Section 7</li> </ul>





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CH-06	<ul style="list-style-type: none"> <li>Section 4.1</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.2 of the Guidelines</li> </ul>	<ul style="list-style-type: none"> <li>The Agency</li> </ul>	<ul style="list-style-type: none"> <li>Section 4.1 of the study plan states: "further Stage 2 fieldwork will be required for all areas of proposed impacts, which would ideally be completed between the months of July and September."</li> <li>Section 7.2 of the Guidelines states that "With regard to field studies, survey work must be planned to include multiple sampling locations and multiple visits to each location to support all required assessment analyses. Existing data should be considered as a limited augmentation of this new data. See the "Establishing Baseline Conditions" (sections 8.5, 8.9, 8.10, 8.11) in the Guidelines for recommendations on survey design and methodology. Surveys and analyses should be conducted by qualified experts."</li> </ul>	<ul style="list-style-type: none"> <li><b>Required Action # 7:</b> In consideration of the ongoing COVID-19 pandemic and that some Indigenous groups are presently in a state of emergency, provide updated information reflecting measures taken in the methodology for the archeological assessment to ensure that the Indigenous groups (at a minimum those listed in the IEPP) and the public are able to inform baseline studies, as is required in Sections 7.2 of the Guidelines.</li> <li><b>Required Action # 8:</b> Provide further details regarding the schedule for the baseline data collection of the archeological assessment (e.g. number of visits to sampling sites, identification of sample sites and types of analysis). Clarify the qualifications of the experts that conducted or will conduct surveys and analysis for the archeological assessment.</li> <li><b>Required Action # 9:</b> Inform potentially impacted Indigenous groups (at a minimum the Indigenous groups listed in the IEPP) about the status of the stage 1 archeological assessment, sharing information about baseline data collected, so that the groups have an opportunity to inform the archeological assessment scope and can volunteer information to inform the scope of the stage 2 assessment. The Agency also notes that Neskantaga First Nation has specifically requested that Dr. Hamilton be included in archeological assessments for the Project.</li> <li><b>Required Action # 10:</b> Provide details of opportunities to be given for Indigenous groups to review baseline data collected during Stage 1 of the archeological assessment and to participate in the Stage 2 of the archeological assessment. Indigenous groups should also be provided with an opportunity to inform thresholds of significance of a heritage resource.</li> </ul>	<ul style="list-style-type: none"> <li><b>Action 7:</b> All Indigenous communities and organizations listed in the <b>Table 4</b>, including government agencies and interested persons will be informed of baseline studies and will be provided opportunities for input. MFFN is having ongoing discussions with Indigenous communities and continues to request preferences for each community's preferred method(s) of engagement during the EA and in consideration of COVID-19.</li> <li><b>Action 8:</b> Updated text to include a header for "Schedule" under <b>Section 4</b>. No sampling strategy employed with archaeology. All areas identified as retaining archaeological potential where proposed impacts are to occur, must be subject to Stage 2 AA as per the <i>Ontario Heritage Act</i> and the <i>Standards and Guidelines for Consultant Archaeologists</i>. The qualifications of the person are outlined in <b>Section 4</b> - all archaeological assessments must be completed by a licensed archaeologists in Ontario, administered by the MHSTCI.</li> <li><b>Action #9:</b> The Stage 1 AA is in Draft form, submitted to the MHSTCI and under Ministry review. Once the reports are accepted from the MHSTCI, the MFFN CAR Project Team will evaluate sharing the report with Indigenous Communities listed in <b>Table 4-1</b> and Dr. Hamilton.</li> <li><b>Action #10:</b> The Stage 1 AA is in Draft form and can be shared once accepted by the Minister of Heritage, Sport, Tourism and Culture Industries.</li> </ul>	<ul style="list-style-type: none"> <li>Action 8- Section 7</li> </ul>





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CH-07	■ Section 4.2	■ N/A	■ The Agency	<ul style="list-style-type: none"> <li>■ Cultural Heritage Assessment Study Methods More details are required on the methodology of baseline data collection for the cultural heritage assessment (including both material and non-material aspects of cultural heritage) for the Agency and federal experts to understand the work that the proponent is planning to undertake.</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>Required Action # 11:</b> Provide details on what baseline information will be sourced from primary information sources, and what will be sourced from secondary information sources so that it is clear where information is being sourced for the indicators listed in the study plan.</li> <li>■ <b>Required Action # 12:</b> Regarding primary information collection, including field review and community engagement, the study plan requires additional details on how the collection methodology would meet the expectations of the Guidelines, including:               <ul style="list-style-type: none"> <li>– Specify types of engagement activities (surveys, questionnaires, community sessions, chief and council sessions, workshops, etc.).</li> <li>– Describe how Gender-Based Analysis Plus (GBA+) has been applied to the consideration of engagement activities. Identify any specific methods targeted to specific subgroups.</li> <li>– Specify participants in engagement activities (reflecting the Indigenous groups listed in the IEPP and members of the public listed in the Public Participation Plan) including rationale for how the selection of participants meets the objectives of the study and demonstrates accessibility considerations (e.g. language requirements) and GBA+.</li> <li>– Describe the approach the proponent intends to take to encourage or attract participation, including how opportunities to participate will be planned and advertised.</li> <li>– Describe how Indigenous knowledge will be used to inform types of engagement activities and participant selection.</li> <li>– If sample questionnaires, interview questions, or other data collection tools exist, identify them in an appendix to the study plan, and provide clear links to how they relate to physical and cultural heritage.</li> <li>– Identify past public or Indigenous engagement activities that have taken place and are being used to inform this study plan.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>■ <b>Action # 11:</b> Primary sources include field review and community and public engagement. Secondary sources include current and archival written accounts, maps, drawings, plans and images, scientific or academic publications.</li> <li>■ <b>Action # 12:</b> The Indigenous Knowledge and Consultation Programs for the Project both serve to support the collection of Indigenous perspectives, values, and input on the Project, including in terms of physical and cultural heritage. The Guidance Document developed for the Project and provided to all Indigenous communities and groups identified in <b>Table 4-1</b> in November 2020 includes questions related to historical baseline conditions associated with Indigenous cultures (refer to Sections 6.3 and Appendix D in the Guidance Document). The Guidance Document also includes considerations for burial sites, oral histories, cultural values and experiences of being on the land, Indigenous laws and governance systems, and culturally important sites and resources (refer to Sections 6.6 and 6.7 and Appendices D and E in the Guidance Document). These considerations have also been factored into the identification of preliminary indicators for the assessment.</li> </ul>	<ul style="list-style-type: none"> <li>■ Section 4; Section 9, Table 9-2</li> </ul>





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					<ul style="list-style-type: none"> <li>- Specify the methods used to conduct a field review of identified cultural heritage resources.</li> <li>- Describe identified data limitations and how such data limitations will be addressed.</li> </ul> <p>■ <b>Required Action # 13:</b>            For secondary information collection, including background historical research, provide specific information sources to be used, and for which indicators they apply. Provide detail on how the proponent has considered GBA+ requirements in the identification of secondary information sources.</p>	<p>■ <b>Action # 13:</b>            Primary sources include field review and community and public engagement. Secondary sources include current and archival written accounts, maps, drawings, plans and images, scientific or academic publications.</p>	
CH-08	<ul style="list-style-type: none"> <li>■ Section 4.1, 4.2 and 5</li> </ul>	<ul style="list-style-type: none"> <li>■ Sections 6.1, 6.2 and 7.2 of the Guidelines</li> </ul>	<ul style="list-style-type: none"> <li>■ The Agency</li> </ul>	<p>■ <b>Data Management Analysis</b></p> <ul style="list-style-type: none"> <li>- Sections 4.1, 4.2 and 5 of the study plan do not include any information on how data collection methodology and data management will comply with ethical guidelines and cultural protocols governing research, data collection, and confidentiality.</li> <li>- Sections 6.1, 6.2 and 7.2, and Appendix 1 of the Guidelines provide guidance and information on the use of ethical guidelines and cultural protocols in data collection, management, and analysis.</li> </ul>	<p>■ <b>Required Action # 14:</b>            Provide details to demonstrate how the requirements of Sections 6.1, 6.2 and 7.2 of the Guidelines will be met.</p>	<p>■ Primary sources include field review and community and public engagement. Secondary sources include current and archival written accounts, maps, drawings, plans and images, scientific or academic publications. Any Indigenous Knowledge data shared as part of the Stage 1 AA will not be made public, as outlined in <b>Section 8</b>. The Stage 1 AA is with the MHSTCI for review, it can be provided it Indigenous communities once returned . The Proponent will provide opportunities for consultation and engagement with Indigenous communities identified in <i>the Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020a). Indigenous communities will be involved throughout the environmental assessment so that the Proponent can consider and incorporate, where appropriate, Indigenous Knowledge and Indigenous land and resource use information into the Project as applicable. Specific consultation and engagement activities and schedules are currently in development and will be shared with the MECP once available. A summary of the consultation plan has been provided in the Study Plan; further details can be found in the ToR.</p>	<ul style="list-style-type: none"> <li>■ Section 2; Section 4; Section 8</li> </ul>





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CH-09	■ Section 6.1	■ Section 6 of the Guidelines	■ The Agency	<p>■ <b>Indicators</b></p> <ul style="list-style-type: none"> <li>– The Agency notes that the indicator “archeology and cultural heritage” listed in Table 6-1 of the study plan does not provide sufficient detail about how physical and cultural heritage features outlined in Sections 12.1, 17.6 and 19.1 of the Guidelines will be assessed. It is unclear whether the features listed under “Rationale for Selection” in Table 6-1 are intended to serve as indicators, and if so, how they will be measured to assess change.</li> <li>– The Agency requests that the study plan include additional details on the indicators that will be used to describe each feature so that both the Agency and federal reviewers can provide meaningful feedback on the assessment of baseline conditions and potential effects. Indicators must provide data (either quantitative or qualitative) that can be measured and used to identify changes stemming from the Project.</li> <li>– Note that Section 6 of the Guidelines requires the proponent to provide Indigenous groups with an opportunity to comment on the list of valued components and indicators.</li> </ul>	<p>■ <b>Required Action # 15:</b>            Include detailed and measurable indicators related to physical and cultural heritage features, as outlined in Sections 12.1, 17.6, and 19.1 of the Guidelines.</p> <p>■ <b>Required Action # 16:</b>            Identify how and when Indigenous groups will be provided opportunities to validate the list of valued components and indicators related to physical and cultural heritage features, as required by section 6 of the Guidelines.</p>	<p>■ Detailed and Measurable indicators related to physical and cultural heritage features will be determined once the temporal and spatial boundaries of construction impacts are known. This information will be included in the IS / EA Report.</p> <p>■ The Proponent will provide opportunities for consultation and engagement with Indigenous communities identified in the <i>Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020a). Indigenous communities will be involved throughout the environmental assessment so that the Proponent can consider and incorporate, where appropriate, Indigenous Knowledge and Indigenous land and resource use information into the Project as applicable. Specific consultation and engagement activities and schedules are currently in development and will be shared with MECP once available. A summary of the consultation plan has been provided in the Study Plan; further details can be found in the ToR.</p>	■ Section 9; Section 4
CH-10	■ Section 4.1, 4.2, and 6.2	■ Sections 7.1 and 13.1 of the Guidelines	■ The Agency	<p>■ <b>Public Engagement</b></p> <ul style="list-style-type: none"> <li>– Sections 4.1, 4.2 and 6.2 of the study plan do not identify any opportunities for the public to provide input during baseline data collection and effects assessment. The plan should reflect meaningful two-way dialogue with local communities, municipalities and Indigenous groups (at the minimum the Indigenous groups identified in the IEPP and the members of the public identified in the Public Participation Plan) so that input can be provided on how components and processes are interrelated as is referenced in Section 7.1 of the Guidelines. The Agency also notes that determining and characterizing effects should be largely based on the level of concern expressed through engagement as is pointed out in Section 13.1 of the Guidelines.</li> </ul>	<p>■ <b>Required Action # 17:</b>            Identify when and how the public will be provided with opportunities to provide input and share their views during baseline data collection and effects assessment.</p>	<p>■ The Proponent will provide Project notices and advise of opportunities for consultation and engagement with members of the public outlined in the <i>Public Participation Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020) (referred to as the Public Participation Plan). This will include the opportunity to provide input on the existing environment, VCs, effects assessment methods, effects assessment results, and mitigation and follow-up program measures as applicable. A variety of activities will be offered so that members of the public are informed of the IS / EA Report as it progresses and are aware of the opportunities and means to provide their input. The study plans have recognized public and agency input received on the Project to date.</p>	■ Section 4





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CH-11	<ul style="list-style-type: none"> <li>Section 6.2 and 6.3</li> </ul>	<ul style="list-style-type: none"> <li>Section 13.1 of the Guidelines</li> </ul>	<ul style="list-style-type: none"> <li>The Agency</li> </ul>	<ul style="list-style-type: none"> <li><b>Effects Assessment</b> <ul style="list-style-type: none"> <li>Sections 6.2 and 6.3 of the study plan describe the provincial requirements for a Stage 2 archeological assessment and assert that a preliminary impact assessment of cultural heritage resources for the LSA will be conducted. However, the study plan does not describe the effects assessment methodology in sufficient detail to enable the Agency and federal authorities to understand how the potential adverse and positive effects of the Project will be assessed.</li> <li>Refer to section 13.1 of the Guidelines for additional guidance on the requirements of an effects assessment.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Required Action # 18:</b> Provide details on how the effects assessment methodology would meet the requirements of Sections 13.1 and 13.2 of the Guidelines. Ensure that the effects assessment considers the effects of each of the project components and physical activities, in all phases, and that it is based on a comparison to the proposed baseline work. While the cultural heritage study plan focuses on the archeological resources present in the project area, the study plan should also include baseline information on the access and experience of heritage sites in relation to Indigenous group's exercise of rights as they relate to the physical and cultural heritage in or around the Project.</li> <li><b>Required Action # 19:</b> Provide details of how non-material aspects of cultural heritage described in sections 12.1, 17.6, and 19.1 of the Guidelines will be considered during the effects assessment. The study plan should note or draw linkages to the requirements of section 12.2 and 12.4 of the Guidelines. Findings of the cultural heritage study plan should inform the proponent's characterization of the current use of lands and resources for traditional purposes and the conditions related to the rights of Indigenous peoples in the Impact Statement.</li> </ul>	<ul style="list-style-type: none"> <li>The indicators and rationale for selection and measurement of potential effects to be used to assess and evaluate the alternative routes is provided in the Study Plan <b>Section 9</b>. Previous studies providing baseline data were completed prior to the release of the TISG. These studies were developed in consultation with provincial and federal regulators. Baseline Reports including results from these studies will be amended to the Study Plan, when they are available.</li> <li>The MFFN CAR Project Team will work with Indigenous communities to ensure that Indigenous Knowledge and any information on Indigenous land and resource use shared is appropriately integrated into the assessment processes. This will include providing Indigenous communities with the opportunity to collaborate with the MFFN CAR Project Team on the effects assessment. The opportunity to complete their own effects assessment will also be provided to communities, and the MFFN CAR Project Team will work with you to incorporate your effects assessment into the assessment processes. The MFFN CAR Project Team will also provide opportunities to review and discuss draft assessment documents to ensure that the information has been captured and presented appropriately. Study plan <b>Section 5</b> describes how Indigenous Knowledge will be incorporated into the effects assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Section 9; Section 4</li> </ul>
CH-12	<ul style="list-style-type: none"> <li>Section 7.1</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>The Agency</li> </ul>	<ul style="list-style-type: none"> <li>Section 7.1 of the study plan states that "Unless otherwise specified, archaeological assessments in Ontario completed on Crown land defaults to the Ontario's MHSTCI's Standards and Guidelines for Consultant Archaeologists (Ontario Government 2011). Parks Canada is notified only when the assessment is conducted on federally owned and operated land, which includes any of the Canadian Parks. Archaeological investigations on other federally designated land, such as First Nations reserve land, will be completed to meet all federal and provincial standards. This will be achieved through meaningful consultation and engagement with</li> </ul>	<ul style="list-style-type: none"> <li><b>Required Action # 20:</b> Clarify the plans for engaging Indigenous groups and demonstrate how the requirements of Sections 6 of the Guidelines will be met.</li> </ul>	<ul style="list-style-type: none"> <li>The Proponent will provide opportunities for consultation and engagement with Indigenous communities identified in <i>the Indigenous Partnership and Engagement Plan for the Marten Falls Community Access Road Project Impact Assessment</i> (the Agency 2020a). Indigenous communities will be involved throughout the environmental assessment so that the Proponent can consider and incorporate, where appropriate, Indigenous Knowledge and Indigenous land and resource use information into the Project as applicable. Specific consultation and engagement activities and schedules are currently in development and will be shared with the MECF</li> </ul>	<ul style="list-style-type: none"> <li>Section 4</li> </ul>





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				<p>each Nation in order to incorporate other specific protocols that may be implemented on First Nations Reserve land.”</p> <ul style="list-style-type: none"> <li>It is unclear from the study plan if the proponent intends to engage with Indigenous groups only when collecting baseline data on federally designated lands or if engagement will be undertaken also with other Indigenous groups who have traditional territory on crown lands.</li> </ul>		<p>once available. A summary of the <i>Consultation and Engagement Plan to Support the EA / IS</i> has been provided in the study plan; further details can be found in the ToR.</p>	





# MARTEN FALLS FIRST NATION ALL SEASON COMMUNITY ACCESS ROAD



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